

**1<sup>st</sup> Edition  
2002**

THIS BOOK BELONGS TO:

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# KNOW THE LAW

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## Louisiana Laws for Youth



Presented by:  
The Louisiana State Attorney General  
And  
The West Feliciana Parish Sheriff's Office

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## IMPORTANT TELEPHONE NUMBERS

<b>SHERIFF</b>	
<b>POLICE DEPARTMENT</b>	
<b>FIRE DEPARTMENT</b>	
<b>EMS</b>	
<b>DISTRICT ATTORNEY</b>	
<b>HOSPITAL</b>	
<b>POISON CONTROL</b>	
<b>MOM AT WORK</b>	
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## ABOUT *KNOW THE LAW*

The Louisiana Attorney General and the West Feliciana Parish Sheriff's Office proudly welcome you to *Know the Law*. This is the largest civil education project ever designed in the state of Louisiana to teach you the laws that you need to know in order to live a safe, productive life.

As you know, the law can get complicated, so don't expect that this book can substitute for a lawyer if you have a legal problem. Your teachers, parents, law enforcement officials, and legal professionals in your community are on your side. They can assist you with questions that you may have. Together you can discover many important laws, why we have laws, what your legal rights and responsibilities are now, and how they will change in the future as you grow older. Learning this information will require some effort on your part, but you will have fun too.

### ABOUT YOU

Your Name \_\_\_\_\_

Your

Your Age \_\_\_\_\_

Photo

Your School \_\_\_\_\_

Here

Your Teacher \_\_\_\_\_

### Public Officials Who Represent You:

Your Governor \_\_\_\_\_

Your Lieutenant Governor \_\_\_\_\_

Your State Attorney General \_\_\_\_\_

Your Secretary of State \_\_\_\_\_

Your State Senator \_\_\_\_\_

Your State Representative \_\_\_\_\_

Your U.S. Senators \_\_\_\_\_ and \_\_\_\_\_

Your U.S. Congressman \_\_\_\_\_

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## **ACKNOWLEDGMENTS**

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West Feliciana Parish Sheriff J. Austin Daniel and staff

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Corporal Wendell Fontenot – Development of lesson plans



### **A Message from Attorney General Richard P. Ieyoub**

Welcome to what I hope will be the start of a wonderful new year for each of you. As you start the 2002-2003 school year, the administration and staff will be working hard to help you prepare academically and socially for the future. I want you to be successful and that's why I'm asking for your cooperation during the school year.

Each of you plays a significant role not only in your own success, but also in the success of your school. School activities provide an opportunity to become an athlete, band member, student council member or perhaps even a peer mediator. All these roles are important and will help you grow into adulthood.

Undoubtedly as you progress through the year, you will be subject to many rules and regulations. You may not agree with some of them, but rules and laws exist for your protection and well being and they must be followed.

We've designed this booklet to help you in your effort to become responsible members of your community. It explains many laws and situations that may apply to your life right now or in the near future. Sometimes, the law can be complicated. Ask a teacher or another adult if you have difficulty understanding a topic.

You're entering a phase of life where you're becoming more independent from your parents and family. With that increased desire for independence comes the increased need for you to act responsibly. I know that you'll find many things in this booklet that will help you along the way.

Again, good luck this school year. There are many people who want it to be a success and there are many people who will be working to make sure that happens. Please do your part.





### **A MESSAGE FROM J. AUSTIN DANIEL, SHERIFF WEST FELICIANA PARISH**

This manual is dedicated to the residents of the state of Louisiana in the hopes that it will be valuable not only to school-age residents, but to their parents and guardians as well. As a resident of this state and a member of society, you need to know what your rights, privileges, and responsibilities are as outlined in the laws of Louisiana. Knowing the law helps you to understand your rights, to protect your privileges, and to meet your responsibilities as a resident of your parish and your state.

“Ignorance of the law” is no excuse for violation of any law. You must accept responsibility for your own actions and not blame other people or circumstances for your own behavior. Behavior involves choices that are made by each individual and the consequences that follow for making choices that cause someone else’s rights to be violated. Disrespecting someone else’s rights is not acceptable by the people of our society, and is the basis for most of our laws.

When people know the laws that apply to them, this enables them to make informed decisions regarding their behavior. Just making the right decisions at the right times can make life a whole lot easier. When a person makes the wrong decisions, they cause a great deal of grief and unhappiness for not only themselves, but their families also. Sometimes other families suffer too, when the decision one makes results in another person being injured.

The law is complex. In this booklet, we have tried to “translate” some of the laws into a form that is easy to read and understand. This booklet is not designed to advise you legally, but to familiarize you with some of the laws. If you have questions or if you need any part of a particular law clarified, you should contact an attorney.

Laws change from time to time, so what you read in this booklet today may not necessarily be current tomorrow, so be sure to ask questions and seek clarification in addition to reading this manual.





**A MESSAGE FROM LLOYD LINDSEY**  
**SUPERINTENDENT OF SCHOOLS**  
**WEST FELICIANA PARISH**

As Superintendent of Schools in West Feliciana Parish, I am a firm believer that bad choices limit future options. Respect for authority and the law is a prerequisite for successful parenting, citizenship, life-long learning, patriotic duty, the world of work, and moral and ethical behavior.

How can parents, schools, and public officials teach our children the recipe for successful character traits? By modeling our knowledge and respect of the law and by teaching our children that a democratic society's foundation is dependent on citizens making everyday choices that do not harm themselves or others.

We as a West Feliciana School family would like to thank Sheriff Daniel for his commitment to the well-being of our children. We pledge our support and commitment to making this *Know the Law* manual a meaningful and useful tool for the students of our parish and the state of Louisiana.



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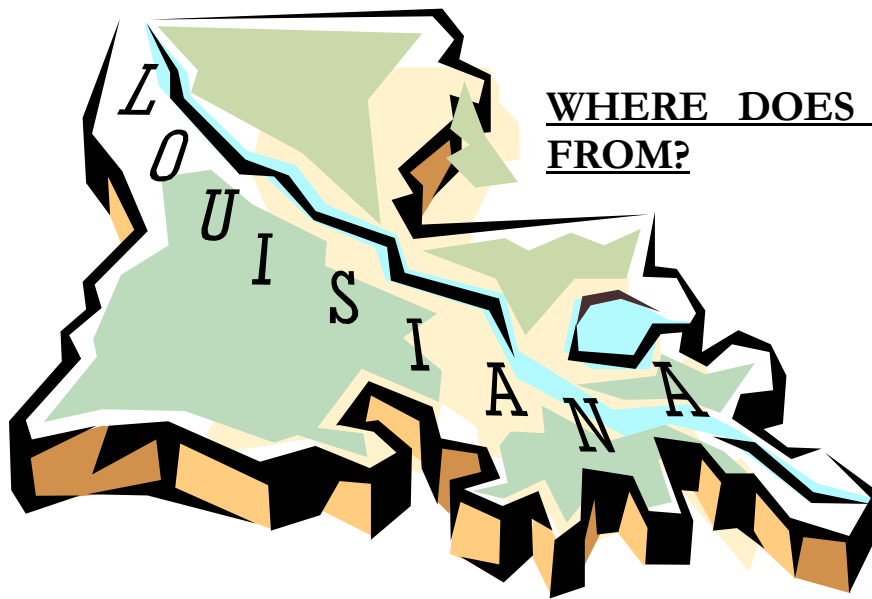
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## Rule of Law

Laws are created and enforced by the government. Laws generally reflect and promote what a society thinks is right or wrong. A government cannot operate effectively unless its citizens respect its laws. Our society is based on the “**Rule of Law**” principle. This means that all citizens must respect and obey the legal system and its laws. In turn, we expect our legal system to protect our basic human rights and to promote order and stability.

We are all citizens, and the law provides us with a set of rules and regulations to follow. In order to be good citizens, it is important that we know the law so that we can obey it.



Our Laws come from many different sources. The United States Constitution and the various state constitutions set forth laws and establish our structure of government. Our legislative branches of government also create laws. Finally, the courts interpret laws and solve disputes.



## WHAT ARE CONSTITUTIONS?

The Constitution of the United States, written in 1787, is the “supreme law of the land.” It establishes the separation of powers for the three branches of federal government that create laws (**legislative**), enforce laws (**executive**), and interpret laws (**judicial**). The Constitution and its amendments also place limits on the powers of our government. These limits protect the fundamental rights we enjoy, such as the freedom of religion, the freedom of speech, and the right to bear arms.

When Louisiana became a state in 1812, the leaders also created a constitution for Louisiana. Our Louisiana Constitution provides the basis for all other laws in our state. The constitution may only be changed by a vote of the people of Louisiana. The state constitution was re-written in 1974 and still serves us today.

Like the U.S. Constitution, the Louisiana

Constitution creates three branches of state government: the **legislative branch**, the **executive branch**, and the **judicial branch**.

## WHAT DO THE BRANCHES OF GOVERNMENT DO?

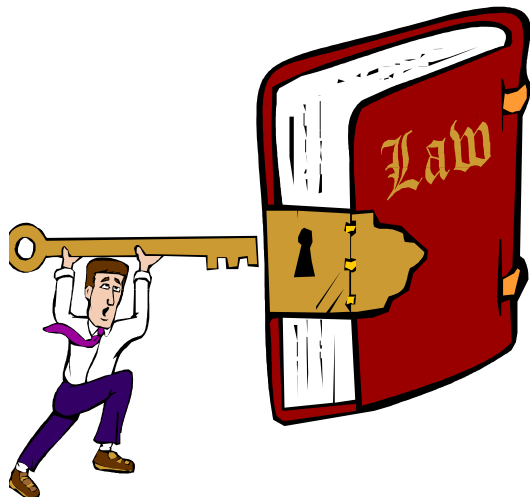
The **legislative branch**, made up of the Senate and House of Representatives, writes laws and sends them to the chief of the executive branch for approval. The President is the chief of the **executive branch** of the federal government whose main responsibility is to make sure that the laws passed by the legislature are enforced. The chief of the executive branch of state government is the governor. The **judicial branch** has different levels of courts. This branch interprets questions about the laws, makes sure those laws do not violate our constitution, and applies laws.

## WHAT IS THE DIFFERENCE BETWEEN STATE AND FEDERAL LAW?

State law applies to everyone in that state and to any conduct that occurs in or affects the state. Federal law applies to persons in every state and territory.

## ARE THERE OTHER TYPES OF LAWS?

Yes. Every city and parish has its own special laws that apply just to that area of the state. For example, **city** or **parish**



**ordinances** might create a special sales tax or set a curfew. You only have to follow these laws when you are in the community where that “local law” is in effect.

## WHAT IS THE DIFFERENCE BETWEEN CIVIL LAW AND CRIMINAL LAW?

**Civil law** is a term used to describe the law that relates to the way you interact

with other individuals. For example, these laws tell you how to write contracts with other people, how to operate your business, and whether you owe money because you wrecked someone else’s car.

**Criminal law** describes the law that relates to the way you interact with society as a whole. This law provides strict definitions about what behavior is considered illegal, such as robbing a bank or stealing a car. While these offenses affect certain individuals, we have decided as a society that whenever someone commits a crime, the crime hurts everyone, not just the individuals involved. Therefore, we call that “a crime against the State.”

## ARE THERE SPECIAL LAWS FOR YOUTH?

Yes. The rest of this book will present you with the different types of laws that may affect you as a young person in Louisiana. Both criminal and civil law will be discussed.



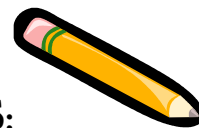
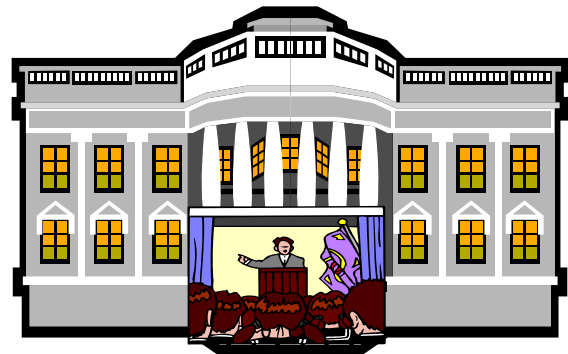
## DO I HAVE A ROLE IN LAWMAKING?

Yes. Elected officials at the local, state, and national levels create laws. As a citizen, you have a right to attend meetings, express your opinions, and even draft laws that you think should be considered.



citizen, you have a right to attend those public meetings to voice your opinions and to learn more about your government.

In our democracy you have a representative at each level of government. If you do not like a particular law, you should call or write your representative or senator in the legislature and ask that the law be amended or repealed the next time they are in session. Every year hundreds of laws are changed, created, or repealed at all levels of government.



NOTES:

There is a law called the “**Sunshine Law**” that requires all public officials to conduct their meetings openly. As a

## COURT SYSTEMS

Courthouse, St. Francisville, Louisiana



### WHAT ARE COURT SYSTEMS?

The court systems are the judicial branches of government at federal, state, and local levels. Courts will hear **civil**, **criminal**, **juvenile**, domestic, and traffic cases.

If you are accused of a crime, you have a right to go to court where the prosecutor must prove you have committed that crime.

If you have a dispute with someone about what the law means, the court will

determine what the law means and settle the dispute. For example, if you are in an automobile wreck, the court will decide who was at fault based on the evidence presented by both sides.

### CAN THE COURTS MAKE LAWS?

Yes, many laws are established within our court systems. The decisions of judges become precedents and provide a basis for deciding future cases.

### WHAT DO FEDERAL COURTS DO?

Federal courts hear cases involving civil and criminal wrongs involving federal law. Federal trial courts are called **U.S. District Courts**.

Cases can be appealed to the U.S. Circuit Court of Appeals in your area. Decisions on appeals are usually rendered at this level, but some cases can go as far as the court of final appeals – The U.S. Supreme Court. There is at least one federal district court in each state.

### WHAT DO STATE COURTS DO?

Louisiana state courts hear both **civil** and **criminal** cases. Louisiana trial courts are called **district** and **circuit courts**. In Louisiana we have judicial circuit courts serving all 64 parishes. We also have courts of appeals, sometimes referred to as **appellate courts** – the Court of Criminal Appeals, the Court of Civil



## KNOW THE LAW

Appeals, and the Louisiana State Supreme Court.

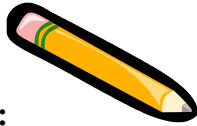
Appellate courts do not try cases, have juries or witnesses. They hear oral arguments and review questions of law or allegations of procedural error arising in the trial court.

### **ARE THERE COURTS FOR YOUTH?**

Yes. If you are younger than age 17 (at the time the offense occurred) and have

to go to court because you may have broken a criminal law, a **juvenile court** hears your case. In this court, there is no jury – only a judge who has special knowledge of the laws as they apply to juveniles. The juvenile court is a part of the juvenile justice system. See Chapter 2.

**NOTES:**



## COURT ROOM ROLES

### WHO ARE JUDGES AND WHAT IS THEIR JOB?



- **Judges** oversee courtroom proceedings. They listen to testimony presented in cases brought before the court and rule according to the law. Their job is to ensure that the law is accurately and fairly applied. The President, with Congress' approval, appoints federal judges for life, while Louisiana state judges are elected by the people and serve six-year terms.
- The clerk of court, the bailiff, and a court reporter assist judges. They are responsible for handling evidence, swearing in witnesses, ushering the jury, and recording the facts of the trial.

### WHAT IS A JURY?

A **jury** is a group of citizens (10-12 in state court and 5 in federal court) who are randomly chosen. La. C. Cr. P. Art. 782. Their task is to determine the facts and apply the law in an adult court proceeding.

The right to **trial** by jury is guaranteed by the Sixth and Seventh Amendments to the U.S. Constitution. This right applies in both federal and state courts. To serve on a jury in a Louisiana court, you must be 18 years old, a U.S. citizen, and a resident of Louisiana. La. C. Cr. P. Art. 401. As citizens, we have a duty to serve as fair and impartial jurors.



*Please note: there are no juries involved in juvenile court proceedings in the state of Louisiana except for teen court.*

## WHO ARE DEFENDANTS AND PLAINTIFFS?

A **defendant** is someone who has either been accused of committing a crime (in a criminal court) or someone who is being sued by another party (in a civil court).

A **plaintiff** is the injured party who brings an action against the defendant in a civil case. In a criminal case, the “plaintiff” is the government (either the United States or a state) and is represented by a **prosecutor**.



## WHAT IS AN ATTORNEY?

There are two different types of **attorneys** in the criminal courtroom – prosecuting and defense attorneys.

A prosecuting attorney (also called the **District Attorney** in state court and the U.S. Attorney in federal court) is an

attorney who represents the government in criminal cases. Prosecutors present evidence and witnesses to prove to the court that the defendant is guilty. The district attorney is an elected official and appoints assistant district attorneys to assist in prosecuting cases in their districts. The President appoints the U.S. attorneys who then appoint assistant U.S. attorneys to assist in prosecuting cases in their districts.

A **defense attorney** is responsible for defending the accused in criminal court. A defense attorney will present the evidence and **witnesses** to prove that the defendant did not commit the crime.

In civil court the attorneys for the two sides are called the plaintiff’s attorney and the defendant’s attorney. The plaintiff’s attorney represents the party making a complaint. The defendant’s attorney represents the party being sued based on that complaint.

## WHAT IS AN ATTORNEY GENERAL?

An **Attorney General** is the chief law officer of the executive branch of a state or the federal government. The Attorney General’s office is sometimes referred to as the “**attorney for the people.**” The Attorney General is responsible for advising the government on legal matters and representing it in both civil and criminal cases.

## WHEN WOULD I NEED AN ATTORNEY?



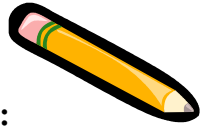
If you are charged with a crime, you need an attorney who is familiar with criminal law to defend you. You may also need an attorney if you are buying or selling a house, divorcing, adopting a child, making a large purchase, making a will, or organizing a business. There are a variety of attorneys who specialize in these areas of the law. It is therefore important to carefully select an attorney based on your legal needs.

## WHAT IF I CANNOT AFFORD AN ATTORNEY?

If you have been charged with committing a crime, explain to the presiding judge that you cannot afford an attorney. If the judge agrees that you or your parents/guardians cannot afford an attorney because you are **indigent** then the court will appoint one to assist you.

In civil court, if you cannot afford an attorney you may qualify for free legal services from a legal aid office. There are some trial lawyers who will not charge you unless they win or obtain a settlement. This is called a **contingency** fee arrangement. It is important to ask your attorney if his or her fees are based on an hourly rate or contingency fee arrangement. There are also some cases in which the court may require the defendant to pay your attorney's fee if you win your case. One final way in which you may be able to recover attorney's fees is if you have a contract with the defendant in which he or she has agreed to pay those expenses.





**NOTES:**

## LEGAL RIGHTS

### WHAT IS “DUE PROCESS OF LAW”?

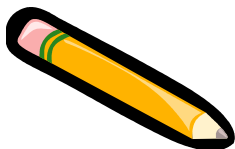


**Due process of law** is the guarantee that citizens are to be treated fairly by the government. It also guarantees that a person has the right to be heard in court before being deprived of life, liberty, or property by the government.

### WHERE DO I FIND “DUE PROCESS OF LAW” IN THE U.S. CONSTITUTION?

Due process of law is mentioned in several places in the U.S. Constitution. The Due Process Clause can be found in the Fifth and Fourteenth Amendments to the U.S. Constitution. A list of the basic rights of the accused can be found in the Fifth and Sixth Amendments of the U.S. Constitution.

**NOTES:**



## WHAT ARE THE BASIC RIGHTS OF THE ACCUSED?

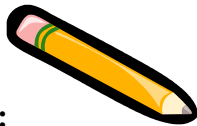
Accused people have the following rights:

- To a trial by jury;
- To a speedy and public trial;
- To be informed of their rights and of the charges against them;
- To confront and **cross-examine** witnesses;
- To refuse to testify against themselves; and
- To be represented by an attorney.

## DO I HAVE THE SAME RIGHTS IN COURT AS ADULTS?

No. Until 1966, juveniles did not enjoy the same due process rights as adults.

NOTES:



While juveniles today do not have all of the same due process rights as adults, the famous U.S. Supreme Court case of *In re Gault*, 387 U.S. 1, (1967), established four main rights for a juvenile accused of committing a crime:

- The right to notification of the charges against him/her;
- The right to an attorney;
- The right to confront and cross-examine witnesses; and
- The right to refuse to testify against oneself.

You will learn more about the juvenile justice system in the next chapter.

## 2

## JUVENILE JUSTICE SYSTEM



In the United States and in Louisiana, **juveniles** are treated differently from **adults**. In earlier years, children were put in jails with adults and suffered harsh penalties. Now, instead of punishing juveniles through the adult system, a separate **juvenile court** works to rehabilitate them by taking a variety of approaches. As you will learn in this chapter, juvenile procedures, terms, and treatments are very different from the adult system. Although you may never be a part of the juvenile justice system in Louisiana, it is a good idea to know its practices and procedures.

### WHAT IS A JUVENILE?

A **juvenile** is a person not yet considered an adult for the purposes of determining either criminal or civil liability. Generally, you are considered a juvenile if you are under age 17. However, please note you may be considered a **minor** in other areas of the law if you are under the age of 18.



## WHAT IS THE JUVENILE JUSTICE SYSTEM?

The **juvenile justice system** is a part of the criminal justice system that focuses on the special concerns and problems or criminal activities of juveniles. The system includes many different state agencies, from the police to the juvenile court to the **Department of Youth Services (DYS)**, and has its own set of laws and procedures that govern the treatment of juveniles.

## WHAT ARE THE DIFFERENCES BETWEEN THE JUVENILE SYSTEM AND ADULT SYSTEM?

There are many differences in the two systems including the terms used and the procedures followed. Below is a list of juvenile terms and matching adult terms.



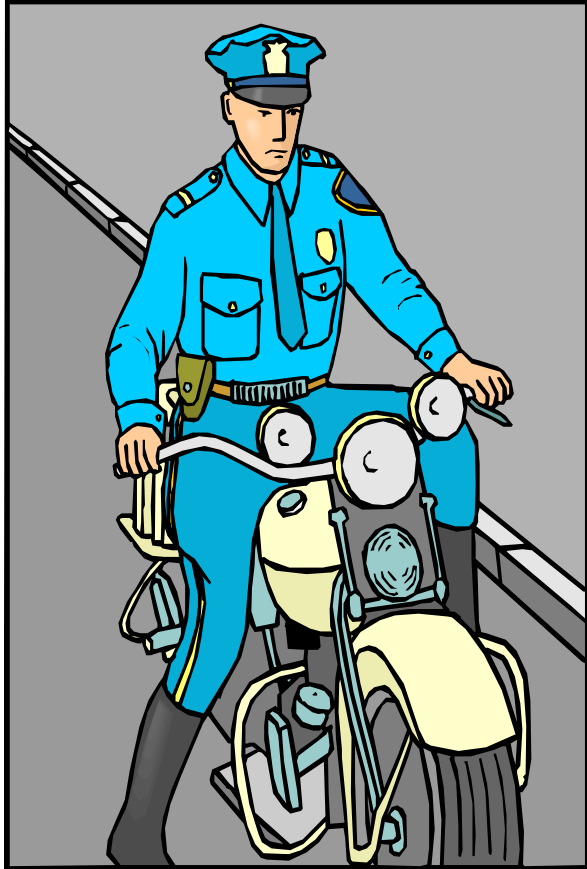
### JUVENILE COURT TERMS

### ADULT COURT TERMS

Offense	Crime
Take into custody	Arrest
Petition	File charges
Denial or “Not True”	Not Guilty plea
Admission or “True”	Guilty plea
Adjudicatory hearing	Trial
Found delinquent	Found guilty
Disposition	Sentencing
Detention	Jail
Aftercare	Parole

## PROCEDURES

### WHAT SHOULD I DO IF THE POLICE STOP ME?



At all times remain respectful and cooperate with law enforcement.

Do not “bad mouth” or walk away from law enforcement officials even in instances where you feel they are wrong. Remember that the first words spoken by you may determine the tone of the encounter and the eventual outcome.

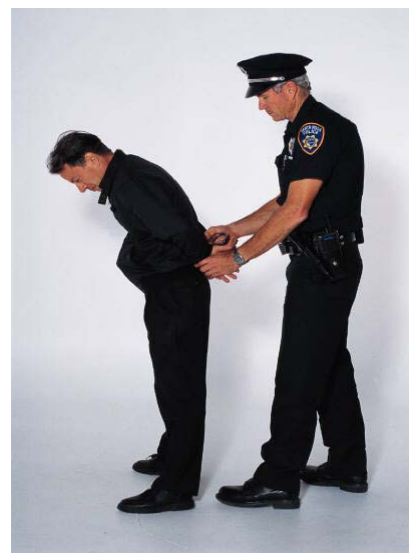
If an officer has “**reasonable suspicion**” to believe you may be

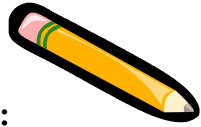
carrying a weapon or illegal substance, you may be subject to a “pat-down” search. La. C. Cr. P. Art. 215.1. This is primarily performed to protect the officer and others in the vicinity.

Obey all requests asked of you, unless the request poses a risk to your personal safety or well-being. Do not give false information to an officer.

### IF I'M TAKEN INTO CUSTODY FOR A CRIME, WHAT SHOULD I DO?

Again, it is important that you remain respectful and cooperative. Make sure you are informed as to why you are being held. You do not have to make any incriminating statements that might be used against you later. Before any questioning begins about a particular crime, a law enforcement officer should inform you of your rights.





**NOTES:**

## HOW DOES AN OFFICER INFORM ME OF MY RIGHTS?

If you are taken into **custody** because you are suspected of breaking a law, the



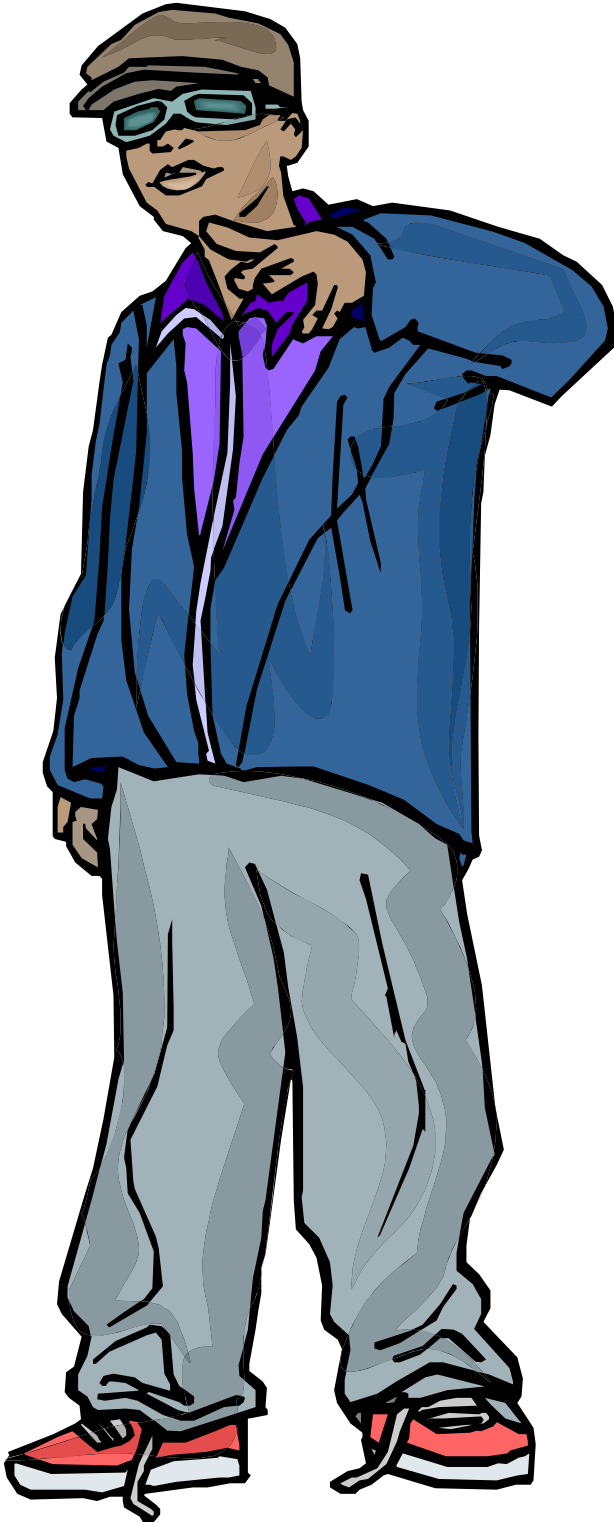
officer must tell you the reason for your arrest and explain your right to have a parent, guardian, or attorney contacted. Before questioning you about a particular crime, a law enforcement officer must read you your constitutional rights, called **Miranda warnings**. Miranda warnings are named after a famous case in which

the Supreme Court said that a criminal defendant is entitled to basic rights.

## WHAT ARE MIRANDA WARNINGS?

- You have the **right to remain silent**.
- Anything you **say** can and will be used against you.
- You have the right to talk to a **lawyer** and have the lawyer present with you while you are being questioned.
- If you **cannot afford** to hire a lawyer, one will be **appointed** to represent you before any questioning, if you wish.
- You have the **right to talk to your parents or guardians** and have them present during questioning.
- If you **wish to communicate** with your lawyer, parents, or guardians, reasonable means will be provided to allow you to do so.
- You can decide at any time to exercise these rights and **not answer any questions or make any statements**.

## JUVENILE COURT



## WHAT IS JUVENILE COURT?

The **juvenile court** is a special division of the circuit and district court system of Louisiana. A circuit or district court judge acts as the juvenile court judge. Juvenile court is for young people under the age of 17 who have been referred for violating the law or who are in need of supervision. Juvenile Court is also for **minors** under the age of 18 who have family or personal problems. You can be required to go to juvenile court if a **petition** is filed alleging you to be **dependent, delinquent**, or a “**child in need of care.**”

A **dependent child** is one who:

- Is in immediate danger in his or her current surroundings;
- Does not have anyone to take care of him or her;
- Is homeless, destitute, or dependent on the public for support;
- Is without a parent or guardian for support; or is neglected by his or her parent or guardian.

A **delinquent child** is one who has committed a crime whether it is a **violation, misdemeanor, or felony**.

A family in need of supervision (**FINS**) is one who has children that:

- Are habitually **truant** (excessive school absences or tardies);
- Run away from home;
- Continuously disobey parents; or violate **curfew** as set by a governmental agency.

La. Ch. C. Art. 726 et. al.



### WHAT HAPPENS IF I GO TO JUVENILE COURT?

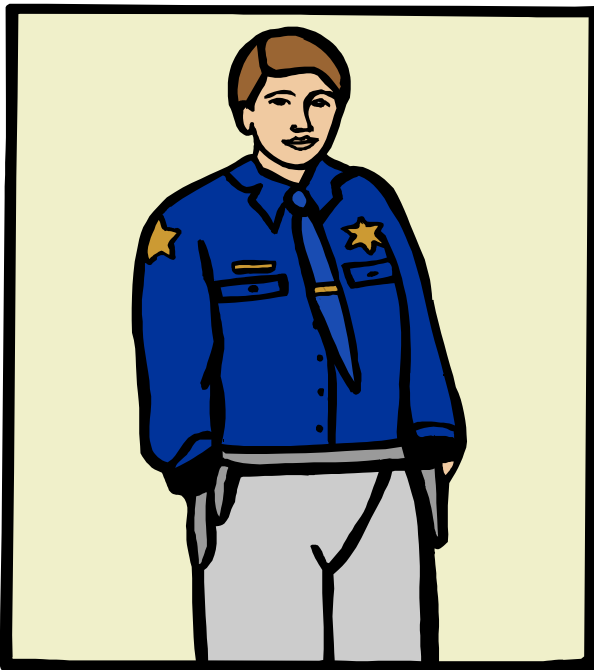
If you go to **juvenile court**, you, your parents or guardians, and your lawyer will have a chance to tell your side of what happened. You have the right to have witnesses brought to court on your behalf and the right to question those **witnesses** brought by the district attorney to offer evidence against you. After listening to both sides, the judge decides whether the charges against you were proven. If the judge finds the evidence was insufficient and the district attorney was unsuccessful in proving the case against you, you will be free to go.

If the judge decides that you have committed the offense (**adjudicated delinquent**), the judge may request that the juvenile **probation** department prepare a report on you and your family, a description of the offense, and a recommendation to the juvenile court



regarding appropriate placement.

Another option might be a **consent decree**. A consent decree is a written agreement between parties in your case and the court to hold your case open without a plea. The case will remain open for a maximum of 12 months. The consent decree contains certain terms and conditions agreed upon by all parties



in the case and the court.

### IF THE JUDGE FINDS ME DELINQUENT, WHAT CAN HAPPEN?

The juvenile court judge may decide to put you on **probation** or place you in the **custody** of the Department of Youth Services (DYS).

### WHAT DOES “ON PROBATION” MEAN?

Being on **probation** means being released to follow certain rules and conditions set by the **juvenile court** under the supervision of a probation officer for a set period of time. Special conditions of probation can require you to work in the community, attend school regularly, pay a fine, keep a curfew, pay back a victim for damages, obtain counseling or therapy, be subject to random drug tests, or attend an alternative school. The court may also have you placed in a group home or other residential setting. You may be sent to a boot camp program where you participate in tough physical training, educational programs, and self-improvement programs. La. Ch. C. Art. 897.

### WHAT IS A JUVENILE PROBATION OFFICER?

The position of a **juvenile probation officer (JPO)** is a part of the juvenile justice system established by state law. The officers work with juveniles who have been referred for violating the law



or who need help because of family circumstances. Also these officers provide reports to judges to help them make decisions about children. JPOs also supervise juveniles who have been placed on probation by the juvenile court.

### **WHEN DOES PROBATION END?**

In some cases, you can be on probation for a set length of time or until you have met special conditions required by the court. In other cases the time cannot be set. Probation supervision will continue until the probation officer recommends to the court that it be ended. You may be returned to court for violating probation orders of the court and can be sent to a Department of Youth Services facility. You may be kept on probation until your 21<sup>st</sup> birthday unless you have been transferred to adult court in which case your probation could be extended.

## **DEPARTMENT OF YOUTH SERVICES**

### **WHAT IS THE DEPARTMENT OF YOUTH SERVICES?**

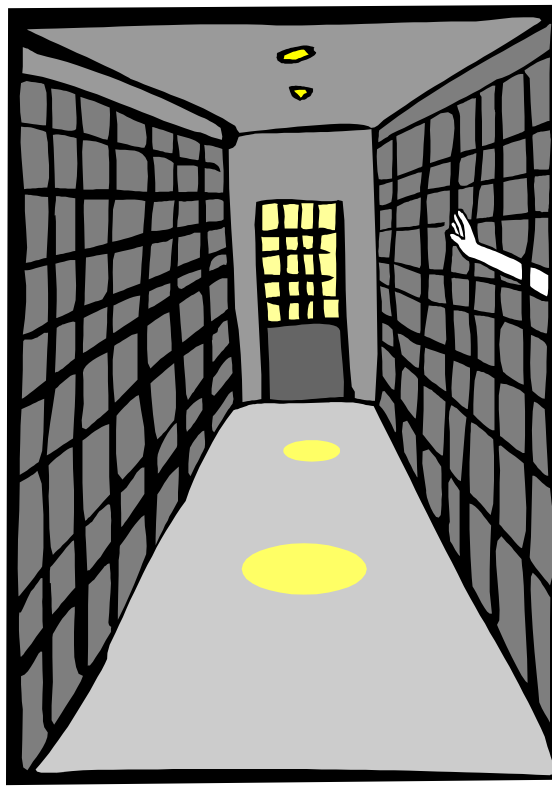
The **Department of Youth Services (DYS)** is the state agency charged with the supervision of delinquent juveniles. While under the supervision of DYS, you have to go to school and participate in physical training. The juvenile judge may

also require DYS to make you attend special programs based upon your crime.

If you are sent to DYS you could be placed in a local **detention facility**, a group home, a boot camp, or a high security facility.

You may be held in a DYS facility until your 21<sup>st</sup> birthday.

### **WHAT IS A HIGH SECURITY FACILITY?**



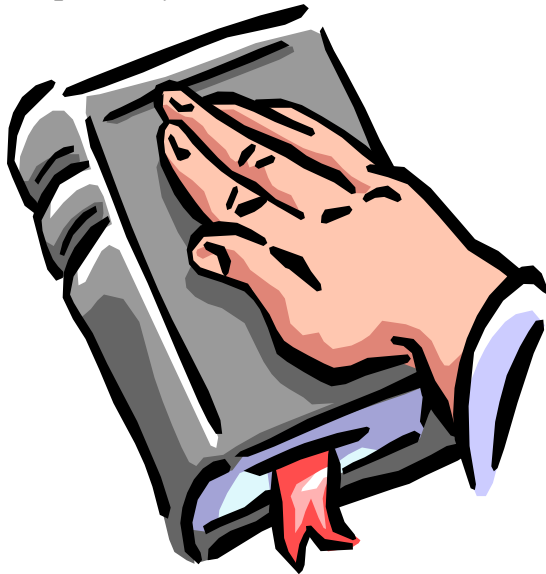
A high security facility is reserved for the most **serious offenders**. If you are sent to one of these facilities, it is like going to a state prison. You lose **autonomy**. The DYS staff controls everything you do every day you are there. They tell you when to wake up, when to eat, when to go to school and how long to go to



school, and when to go to bed. You are watched at all times. An example of a high security facility in Louisiana is Jetson Correctional Center for Youth in Baton Rouge, Louisiana.

### **WHAT IF I DON'T KNOW SOMETHING I DID IS A CRIME?**

Not knowing the law is not an excuse for breaking the law. If that were the case, any person committing a crime might say she or he didn't know about the law. If that were allowed, no one would be safe. Ask yourself, "Is what I'm about to do going to cause harm or injure a person or property that is not my own?" If the answer to your question is "Yes," then it's probably a **crime**.



### **WHAT IF I LIE OR MAKE A REPORT THAT IS NOT TRUE?**

It is a crime to make a false police report or give false information to an officer, or to call in a false fire alarm or bomb threat to police or emergency officials. La. R.S. 14:59; La. R.S. 14:54.1.

If questioned as a witness in court, you must tell the truth; to lie would be the crime of **perjury**. La. R.S. 14:123.

### **WHAT HAPPENS IF I HELP ANOTHER PERSON BREAK A LAW?**

**Complicity** is when you help another person commit a crime. If you are guilty of complicity you may be charged with the same crime. Complicity is also known as "aiding and abetting." La. R.S. 14:24.

### **CRIMES FALL INTO TWO BASIC CATEGORIES:**

1. **Crimes against Persons** are crimes that directly injure, attempt to injure, or threaten to injure a person's body.
2. **Crimes against Property** are crimes that affect property.

### **ARE ALL CRIMES THE SAME?**

No, all crimes are not the same. Crimes are further categorized as follows:

- **Felonies:** The most serious crimes; they can result in

probation, being committed to the Department of Corrections, being tried as a adult, paying **restitution**, fines, and supervision fees, suspended driver's license, community service, and other penalties and requirements.

- **Misdemeanors:** Less serious than felonies; they can result in probation, being released to parents or other party, or committed to the Department of

Corrections, paying restitution, fines, and supervision fees, suspended driver's license, community service, and other penalties and requirements.

- **Infractions:** The least serious law violations; they can result in a loss of liberty or a fine (for example, paying a fine for a traffic ticket and being required to attend traffic school.)

The office of the District Attorney may decide to treat some offenses as either a felony or a misdemeanor. Although the juvenile proceedings and sentencing differ from adult court, you should be aware that for certain serious offenses, juveniles could be tried in adult court and sentenced as adults.



## CRIMES AGAINST PERSONS

### WHAT IS A HOMICIDE?

**Homicide** is the killing of one human being by another, justified or unjustified.

**Criminal homicide** includes capital murder, murder, manslaughter, and criminally negligent homicide.

**Murder** is the intentional killing of another person without legal justification. Murder is a felony.

Some murders can be punishable by a sentence of death or life without parole. These are known as **capital offenses**. Some examples of capital offenses are the murder of a police officer or a child under the age of 14 or a murder while committing another felony.

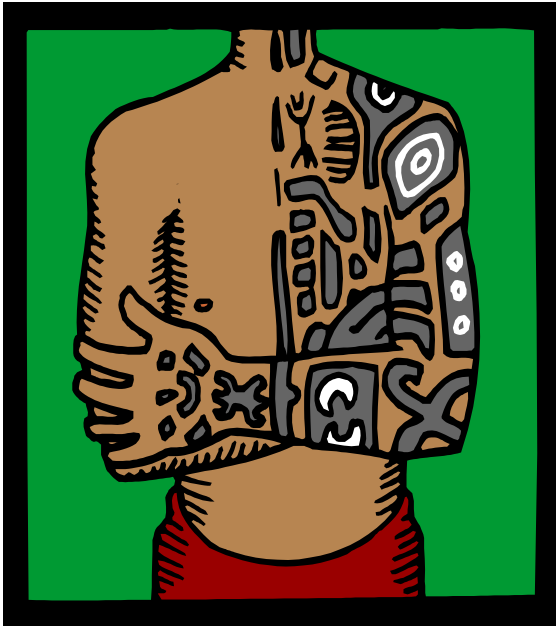
**Manslaughter** is the reckless killing of another person. This crime may also be intentional but committed during a heated or passionate moment. Manslaughter is also a felony.

Criminally **negligent homicide** is the death of another that results from risky or careless behavior; for example, a death caused by drunk driving. This is also a felony.

You should know it is illegal to:

- **Commit assault:** An attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. LS RS 14:36.

- **Commit battery:** The intentional use of force or violence upon another person or the intentional administration of a poison or other noxious liquid or substance. LA. R. S. 14:33.  
(For example: hitting someone)
- **Threaten to harm or kill another person even if you do not intend to do so.**
  - **Aggravated battery** is a battery committed with a dangerous weapon, and the penalties involve a fine of not more than \$5,000, imprisonment not more than 10 years or both. LA. R. S. 14:34.
  - **Second-degree battery** is the intentional infliction of serious bodily injury. Penalties involve fine of not more than \$2,000 or imprisonment for not more than 5 years or both. LS RS 14:34.1.
  - **Assaults by drive-by shooting** carry a sentence of 1-5 years with no benefit of suspension of sentence. LA. R. S. 14:37.1.



Hepatitis B, (which is a deadly form of the disease), is easily contracted through tattooing and body piercing. If the tattooing or piercing procedures are performed in an unsanitary environment or if instruments that have not been medically sterilized are used, you could contract the disease. It is incurable, and will eventually lead to liver cirrhosis and liver cancer. The Hepatitis B virus is much smaller than the HIV virus, but is spread in many of the same ways – through body fluids. A unique characteristic of the HBV virus is that it can live outside the body in a “dry” environment for as long as a week!

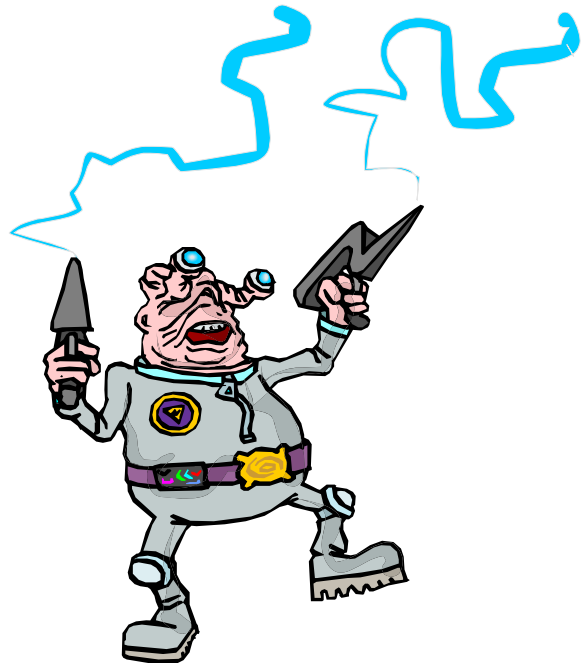
It is also illegal:

**To tattoo or pierce any body part** of a person under the age of 18 without parental consent. LA R.S.14.93.2.

**To place gold fillings** on minor's teeth without parental consent. LA. R. S. 14:93.2.2

**To stalk any person.** This includes any willful, malicious, repeated following or harassing, telephoning, e-mailing, sending messages by a 3<sup>rd</sup> party, or sending letters and /or pictures. LA. R. S. 14:402.

**To point a laser at a police officer.** LA. R. S. 14:37.3.





### WHAT IS ASSAULT?

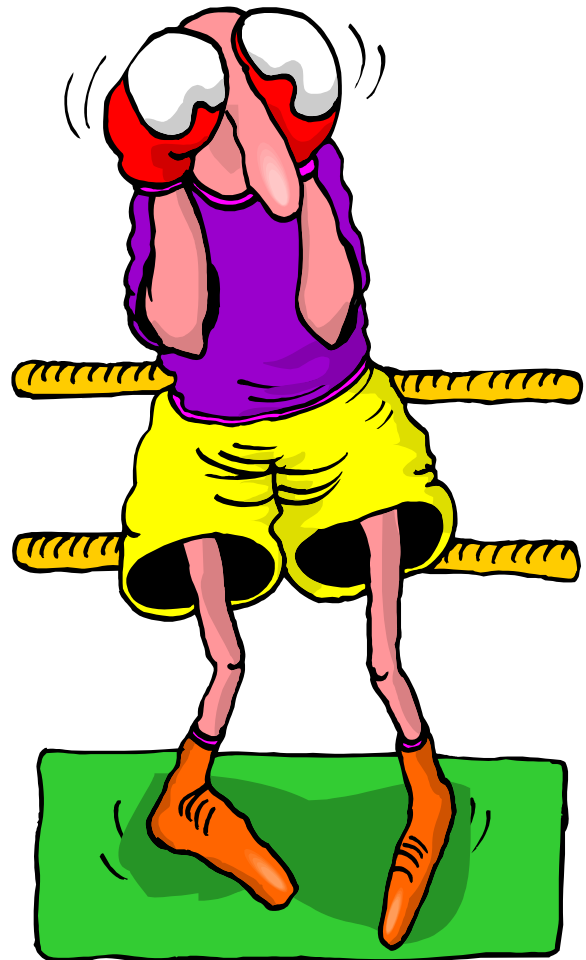
**Assault** is an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. La R.S. 14:36. For example, an unprovoked attack against another person is an assault. You do not have to have a weapon to assault someone. If you assault someone, you can be charged with a misdemeanor or a felony depending on the seriousness of the injury. Any assault on a police officer or a teacher is an automatic felony. **Batteries of police officers, schoolteachers, and other officials are specifically outlined in LA. R. S. 14:34.2, 14:34.3, and 14:34.4.**

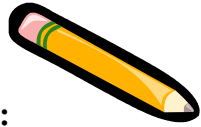
### WHAT IS HARASSMENT?

**Harassment** is an unwanted touching or a verbal or non-verbal threat to another person that would cause a reasonable person to fear for his or her safety.

### WHAT IS MENACING?

**Menacing** involves physical action that intentionally places or attempts to place persons in such a position that they fear imminent serious physical injury. Menacing does not require physical injury.





**NOTES:**

## SEXUAL CRIMES

Every person, girl or boy, has total **autonomy** (control) over his or her own body. No person has the right to touch you in a way that is inappropriate or makes you feel uncomfortable. If this should ever happen, you should report this to your parent, teacher, guidance counselor, or principal.

### WHAT IS RAPE?

**Rape** is forced sexual intercourse with another person. It is illegal to:

- **Have sexual relations with anyone less than 15 years of age** (even if they are willing) if you are 17 years old (or older) and not married to that person. If you are 19 years of age or older, and the consenting person is less than 17 years old and is not your spouse. LA. R. S. 14:80. Penalties range from \$5,000 fine, imprisonment for up to 10 years or both.
- **Force someone to have sex.** If the victim of the crime is 65 years old or older or is 12 years old or younger, the offense becomes **aggravated rape** and carries a sentence of capital punishment (death penalty) or life in prison at hard labor with no benefit of parole. La. R.S. 14:42.

It is also illegal to be cruel to animals or have sex with animals. LA. R. S. 14:89, 14:102, 14:102.1.

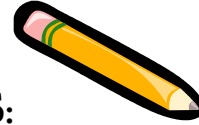


### WHAT IS INDECENT EXPOSURE?

**Indecent exposure** is the exposure of a person's private parts with intent to arouse or gratify sexual desire of oneself or another. La. R.S. 14:106.



NOTES:



### **WHAT IS OBSCENITY?**

**Obscenity** is any material considered to be extremely offensive under community standards of decency. La. R.S 14:106. One example of obscenity is nude pictures of someone under 17 years old taken for sexual purposes. Possession of obscenity is a violation of the law.

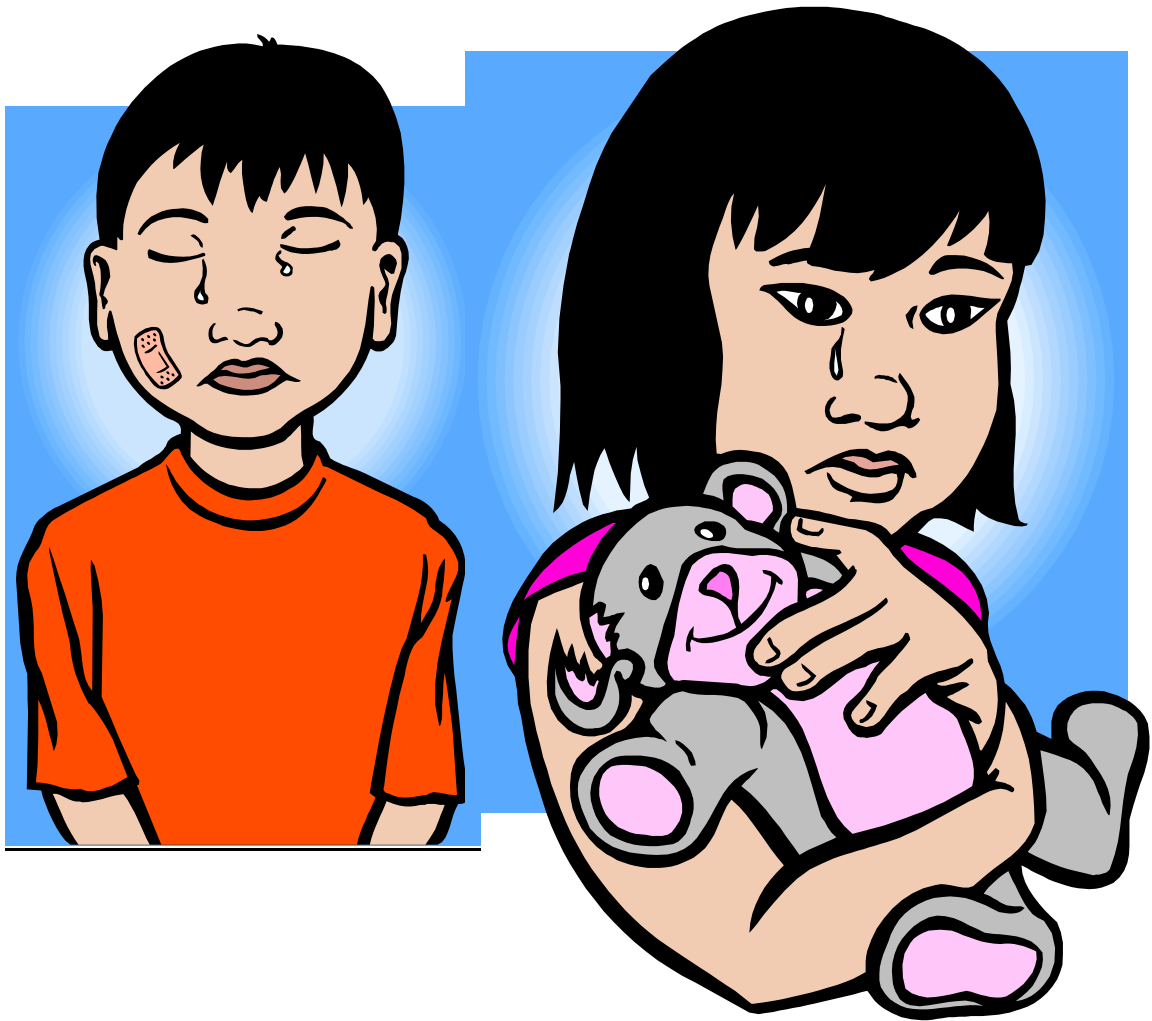
### **CAN SOMEONE GIVE ME A DIRTY MAGAZINE?**

It is illegal for anyone to sell or give someone under 18 years old a magazine with sexually-oriented nude pictures. La. R.S. 14:91.11.



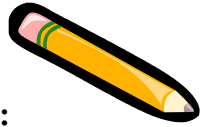
## WHAT IS SEXUAL ABUSE?

**Sexual abuse** involves forcible sexual contact with another person or sexual contact with any person less than 15 years of age. La. R.S. 14:81.2.



## WHAT IF I THINK I AM A VICTIM OF A SEXUAL CRIME?

You should go to an adult you trust (your parent, teacher, counselor, school resource officer) and tell him or her what has happened to you.



**NOTES:**

## CRIMES AGAINST PROPERTY

### WHAT IS ARSON?

**Arson** is setting fire to or burning any vehicle or building, including your own. You may be guilty of arson even if you did not intend to set the fire, but were merely reckless. LA. R. S. 14:51-54.2.



It is also unlawful to:

- Manufacture or possess any type of bomb. LA. R. S. 14:54.3
- Tamper with fire alarm box. LA. R. S. 14:59.
- Make a bomb threat even if you're not serious, and even if you only

have a fake bomb or no bomb at all. LA. R. S. 14:54.1, 14:54.6

### WHAT IS CRIMINAL MISCHIEF?

**Criminal mischief** is intentionally causing damage to property and having no right to do so. This is commonly known as "vandalism." The punishment is determined by the amount of damage LA. R. S. 14:59.

This includes graffiti, breaking windows, egging or keying a car, and slashing tires. It is also illegal to deface, remove, or destroy any property in a graveyard.

### WHAT IF I THROW A ROCK AT A CAR?



Throwing a rock, stone, or piece of metal, or any other deadly object into a car occupied by one or more persons is illegal and is punishable by a \$500 fine or six months in jail or both. La. R.S. 14:59.

### **WHAT IS THEFT?**

**Theft** is the taking of property with the intent to deprive someone of his or her property without the intent to return it. There are different degrees of theft depending on the value of the item(s) stolen.

It is illegal to:

- **Take someone else's property** either permanently or temporarily without their permission. LA. R. S. 14:67



### **WHAT IS SHOPLIFTING?**

**Shoplifting** is the crime of taking goods while at a store without paying or intending to pay. La. R.S. 14:67.10. It is a serious problem for store owners and customers because money is lost on each item that is not paid for by customers, causing retailers to raise their prices on the items we buy. A person who shoplifts will be convicted of either a felony or misdemeanor depending on the value of the stolen item. Because shoplifting has so greatly hurt profits, as well as increased the cost for goods and items, most store owners now prosecute all shoplifters, even for first offenses and regardless of the shoplifter's age.

### **WHAT CAN A STORE OWNER DO TO ME IF I SHOPLIFT?**

If you shoplift from a store, the owner can order you to never reenter the premises of that store and the court may order you to pay a fine. You may also have to pay **restitution**, the return of goods to the owner and payment for the property loss, damages, and time.

If a juvenile is found delinquent for shoplifting, the parents may be sued in civil court by the business to recover the financial loss.

## WHAT IS EMPLOYEE THEFT?

**Employee theft** is a form of stealing in which employees steal items, allow their friends to steal items, charge a customer an improperly reduced price, or abuse an employee discount.. La. R.S. 14:64.



## WHAT IS ROBBERY?

**Robbery** is theft by the use of force. Taking a person's personal property by using force or by scaring someone into handing over anything that belongs to him or her is the crime of robbery. There are different **degrees** of robbery, for example:

- First degree robbery La. R.S. 14:64.1,
  - Carjacking La. R. S. 14:64.2,
  - Purse snatching La. R. S. 14:65.1,
  - Armed robbery La. R. S. 14:64.3,
  - Aggravated robbery, La. R.S. 14:64.4,
  - Simple robbery La. R. S. 14:65,
  - Extortion La. R. S. 14:66.
- 
- If the victim of the violent crime is age 65 or older, the judge can add an additional 3 years to the sentence.

### IS IT ILLEGAL FOR ME TO ACCEPT STOLEN PROPERTY?

Yes. Buying or accepting property known to be or suspected to be stolen is the crime of **receiving stolen property**. Punishment depends on the value of the property and can be a misdemeanor or a felony. Several laws from Title 14 apply.



### CAN I TAKE SOMEONE'S CAR WITHOUT HIS OR HER PERMISSION?

No. It is illegal for you to use a car even temporarily without the owner's permission. Unauthorized use of a motor vehicle is a misdemeanor. If you deprive the owner of possession of his or her car, you could be charged with car theft.

### CAN I USE MY PARENTS' CREDIT CARD?

You may use their credit card only with their permission. Using another person's credit card, debit card, or calling card without their permission is a felony. La. R.S. 14:67.3.

### WHAT IS DISORDERLY CONDUCT?

- **Disorderly conduct** is disturbing the peace by making loud noises, by fighting, or by publicly using obscene language. This is a misdemeanor. This may include playing your car or portable stereo too loudly. It is illegal to **disturb the peace** with loud noise, disorderly conduct, or fighting. LA. R. S. 14:103.



### CAN I MAKE A PRANK PHONE CALL?

No. A prank phone call is a form of harassment. If you make a telephone call

with no legitimate purpose of communication, you are committing the crime of **harassing communication**. This can include calling and hanging up, making threats, using lewd language, and other annoying messages. Harassing communications is a misdemeanor. Sending or forwarding inappropriate e-mail messages or postal mail is also a form of harassing communications.

### **WHAT IS CRIMINAL TRESPASS?**

Entering someone else's property or home without permission or remaining there against the owner's wishes is known as **criminal trespass** and is a misdemeanor. La. R.S. 14:63.

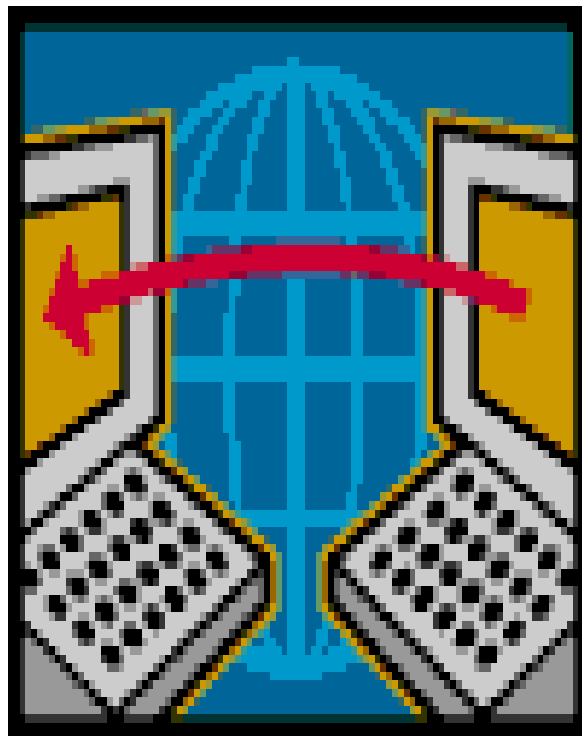
### **WHAT IS BURGLARY?**



**Burglary** is the unlawful entry into a house or building with the intent to commit a crime inside. It is illegal to commit burglary by entering a dwelling, car, or boat and taking property that does not belong to you. LA. R. S. 14:62.

### **WHAT IF I THROW MY SODA CAN OUT OF THE CAR WINDOW?**

You are committing criminal littering. **Criminal littering** is intentionally throwing or dropping litter on any public or private property having no permission to do so and is a misdemeanor. La. C. Cr. P. 211.3.



### **CAN I USE MY PERSONAL COMPUTER TO ACCESS A SCHOOL COMPUTER?**

No. It is illegal to access computer networks or an individual's computer without authorization. This is commonly known as computer hacking and it can range from a felony to a misdemeanor. La. R.S. 14:73.1.

## **RESPECT FOR AUTHORITY**

### **DO I HAVE TO OBEY POLICE OFFICERS?**

Yes. Police officers are charged with enforcing the law and protecting the safety of the public. You should always show respect for law enforcement officials.

It is illegal to refuse to leave an area upon lawful command or to otherwise interfere with a governmental function (for example, interfering with police officers or firemen while they are doing their duty).

It is illegal to resist arrest, delay, obstruct or assault police officers or other emergency employees (such as firemen) while they are doing their jobs.

It is illegal to refuse to assist police officers or firemen when they request your help.

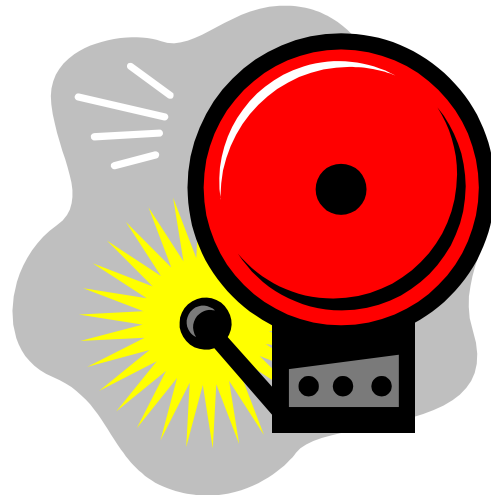
Killing a police dog while the officer is performing his or her tasks is a felony.

Refusing to disperse (or break up a group) when asked by a police officer is a misdemeanor.

La. R.S. 14:108.

### **IS IT WRONG TO FALSELY PULL A FIRE ALARM?**

Yes. The purpose of the fire alarm is to protect you and others from harm and it should be used only for this purpose. Pulling a fire alarm as a prank or joke may cause unnecessary panic or harm and can divert firemen when they may truly be needed elsewhere. Tampering with a fire alarm box or sending a false alarm is a misdemeanor. Sending a false alarm within a hospital or nursing home or any building housing handicapped people is a felony. La. R.S. 14:59.



### **WHAT IF I GIVE THE OFFICER A FAKE NAME?**

It is illegal to give a police officer a false name or address. La. R.S. 14:108.



### **WHAT ABOUT FALSE BOMB THREATS?**

Falsely reporting a **bomb threat** to cause disruption of school activities or to cause the evacuation of a building is a felony. La. R.S. 14:54.1.



### **ARE THERE LAWS ABOUT TRAFFIC SIGNS?**

Yes. It is illegal to steal, deface, knockdown or otherwise alter any traffic signs. It is also illegal to tamper with railroad signs. La. R.S. 32:237.

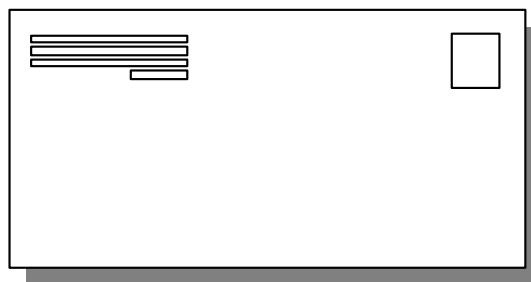
### **WHAT IS IDENTITY THEFT?**

**Identity theft** is using someone else's information (such as social security numbers, credit card numbers, and driver licenses) without their permission for an unlawful purpose. La. R.S. 14:67.16.



### **WHAT ARE THE LAWS CONCERNING MAIL DELIVERY?**

It is illegal to tamper with or destroy a mailbox or mail or to interfere with the delivery of mail. It is a federal crime to steal property belonging to the U.S. Postal Service. The penalty ranges from \$500 to \$2,000 in fines and one to five years in federal prison. 18 U.S.C. §1702.



## WEAPONS, GUNS, & FIREWORKS



Some of the most serious problems with violent crime in the United States are connected with guns and other deadly weapons. This chapter will define and explain some of the laws regarding handguns and other deadly weapons. You should be aware of these laws to protect yourself and others.

## WHAT IS A DEADLY WEAPON?

A **deadly weapon** is a firearm or anything designed for the purpose of inflicting death or serious physical injury. Such items include a pistol, rifle, or shotgun, or a switchblade knife, sword or dagger. It is illegal to possess a switchblade knife. La. R.S. 14:95. A **firearm** is a weapon from which a shot is discharged by gunpowder.



## WHAT IS A DANGEROUS INSTRUMENT?

Any item which, under the circumstances in which it is used is highly capable of causing death or serious physical injury is considered to be a **dangerous instrument**. Such items may include a car, a rock, a hypodermic needle, box cutter, or a pencil. La. R.S. 14:94.

## GUNS

### CAN I OWN A GUN?

Persons under 18 years of age cannot own a rifle or shotgun. Persons under 21 years of age cannot own a pistol. Juveniles, however, can own BB guns or pellet guns (subject to local ordinances).



### CAN I USE A GUN EVEN THOUGH I DO NOT OWN IT?

Yes. You may use it for hunting or other recreational activities with permission from the adult owner. A juvenile may possess a rifle or shotgun as long as it is not concealed. A weapon is **concealed** if it is not in clear sight of a casual observer. The weapon must belong to an adult.

You may only carry or possess a pistol on your parent's or guardian's property. It is illegal for you to possess a pistol anywhere else. Adults may carry concealed pistols with a permit issued by the state. No adult or juvenile can legally carry a concealed rifle or shotgun. La. R.S. 14:95.

### CAN SOMEONE GIVE ME A GUN?

No. It is illegal for anyone to give, sell, or in any way transfer to someone who is under 18 years old, a handgun, bowie knife, or ammunition.

### WHAT HAPPENS IF I BRING A WEAPON TO SCHOOL?

If you bring a firearm to school, on the bus, or to any school activity, the school is required to expel you for one year or enroll you in an alternative school. La. R.S. 14:95.6.



### CAN I POSSESS AMMUNITION?

No. Juveniles may not possess ammunition that is suitable for use only in a handgun. It is illegal for anyone to give, sell, or transfer in any way handgun ammunition to you.



### **CAN I OWN A SLINGSHOT?**

Yes, but it is illegal for anyone to conceal a slingshot, metal knuckles or any similar device. La. R.S. 14:95.

If you bring any weapon to school, you will be immediately suspended and within five days you will have a hearing before the local school board. Law enforcement will be notified of any violation of school policy that prohibits weapons, drugs, or alcohol. If any violations of criminal law have been committed, you will be immediately referred to juvenile court.

If you possess a deadly weapon on school grounds with the intent to do bodily harm, you have committed a felony. La. 14:95.6.

### **WHAT IF I CARRY A WEAPON JUST TO THREATEN OR SCARE SOMEONE?**

Threatening or scaring another person with a weapon is considered “menacing” and is a misdemeanor. La. R.S. 14:122.



### **WHAT ARE OTHER LAWS CONCERNING GUNS?**

You may not shoot any firearm from, on, or across a public road. La. R.S. 32:292. It is a felony to shoot a firearm at any house, vehicle, building or aircraft. It is also illegal to shoot from a vehicle. If someone is killed as a result of your

## KNOW THE LAW

shooting into a house or motor vehicle, you could be arrested for **capital murder**. La. R.S. 14:30.

If a juvenile commits a crime using a deadly weapon, the juvenile will be considered a **serious juvenile offender**.

If an adult commits a crime using a weapon, the minimum sentence is 10 years in prison.

Altering any mark or identification on a weapon or possessing such a weapon is a felony. La. R.S. 40:1788.

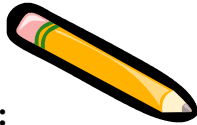


### ***REMEMBER...***

Shooting is not permitted in most areas. Only certain areas are designated for shooting. Be sure you know where these designated areas are before discharging any firearm. No matter where you are:

- It is illegal to shoot any firearm from or upon a public road or highway in a city. La. R.S. 14:94.
- It is illegal to shoot a firearm at any building, vehicle, vessel, train, or aircraft.
- It is unlawful to threaten anyone with a deadly weapon, even if it is unloaded.
- It is unlawful to carry a deadly weapon if you intend to harm anyone.
- It is unlawful to possess any deadly weapon on any school property, and school officials must notify law enforcement. La. R.S. 14:95.2.
- It is unlawful to use a deadly weapon to harm anyone.

### **NOTES:**



## **FIREWORKS**

### **CAN I BUY FIREWORKS?**

No one under 16 years old can buy fireworks unless accompanied by an adult.

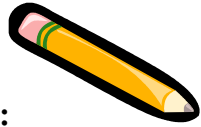
No one can possess fireworks if intending to use them to cause damage or harm to another person or property.

### **ARE THERE PLACES WHERE I CANNOT SHOOT FIREWORKS?**

It is illegal to shoot fireworks within 1,000 feet of churches, hospitals, or public schools, or within 200 feet of where fireworks are sold or stored. La. R.S. 14:311. It is also illegal to throw or shoot fireworks into or from vehicles, at a person, or into a group of people. There are other restrictions that may be placed on shooting fireworks by the fire marshal or by your city or county government. You should always take special care and be responsible when using fireworks since they can be extremely dangerous.

If you use fireworks in the wrong way, you can be charged with a misdemeanor. If you cause damage by using fireworks, you and your parents may be held responsible for the damage.





**NOTES:**



## ALCOHOL AND OTHER DRUGS



Many of you are aware of the alcohol and drug abuse problems among your friends, classmates, and teens in general. This chapter will discuss the laws that involve alcohol, tobacco, and drug abuse. Drugs and alcohol are directly related to crime and violence. Learn more about the laws, and remember to “Just say NO.”

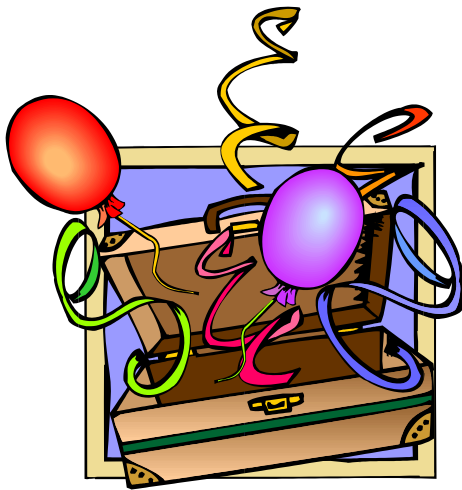
## ALCOHOL

### WHAT IS AN ALCOHOLIC BEVERAGE?

Any drink that has at least ½ of 1 percent alcohol is an **alcoholic beverage**. That includes beer, wine, or any other liquor. La. 14:93.10.

### WHEN CAN I BUY AND DRINK AN ALCOHOLIC BEVERAGE?

You must be 21 before you can buy or drink alcoholic beverages. You must be 21 before you can legally buy or drink alcoholic beverages. La. R.S. 14:93.12.



### WHAT IF I DRINK OR BUY ALCOHOL BEFORE I'M 21?

You have committed a crime that is a misdemeanor. Anyone who buys alcohol for someone under 21 years old may be fined not more than \$500, serve not more than 30 days in prison or both. La. RS 14:93.13.

### CAN MY PARENTS GIVE ME PERMISSION TO DRINK AT HOME?

Anyone age 18 to 21 can drink alcoholic beverages in their parents' presence with their permission. For example, youth in this age group may drink at home or at a restaurant with their parents' permission. Of course, parents cannot extend permission to consume alcoholic beverages to other youth.

No one under the age of 18 can be given permission to drink alcoholic beverages. La. R.S. 14:93.10.

### WHAT IF SOMEONE SELLS OR GIVES ME AN ALCOHOLIC BEVERAGE?

It is against the law to sell or give alcoholic beverages to a person under 21 or allow them to drink on licensed premises. La. R.S. 14:93.11. Anyone who sells alcohol to someone under the age of 21 can be fined not more than \$100, serve not more than 6 months in prison or both. La. R.S. 14:93.11.

**WHAT IF I'M RIDING IN A CAR AND SOMEONE ELSE IN THE CAR HAS AN ALCOHOLIC BEVERAGE?**

No person of any age shall have any open containers of alcohol in a motor vehicle, whether he or she is the driver or the passenger. La. R.S. 32:300.

It is illegal for a person under the age of 21 to possess or transport alcohol. If no one in the car is above the age of 21, it is illegal for anyone in the vehicle to have alcohol, open or unopened.

**WHAT IF I'M NOT DRINKING, BUT I'M HOLDING SOMEONE ELSE'S DRINK?**

If you are under 21, it is illegal for you to hold someone else's drink. It is illegal for a person under 21 to possess and transport alcohol.

Possession is not limited to ownership. It can also include having or holding property in an area over which you have control, such as your backpack, locker, or car.

**SUPPOSE I GO INTO A STORE OR BAR TO BUY AN ALCOHOLIC DRINK USING A FAKE ID OR A DRIVER'S LICENSE. WHAT WILL HAPPEN?**

It is against the law for you to attempt to use a fake ID or driver's license, or to borrow a license that is not yours for the purpose of purchasing alcohol, cigarettes,

or tobacco. Violation is a misdemeanor. La. R.S. 14:333.

By law, you will be asked to prove your age, and if you cannot the store cannot legally sell to you.



**WHAT IS A DWI?**

**DWI** stands for “**driving while intoxicated**” or under the influence of alcohol or other drugs. Underage **DUI** stands for driving under the influence and applies to those youth who are less than 21 years old who have a 0.02g% to .10g% blood alcohol content.

Law enforcement officers determine if you are under the influence of alcohol by testing the amount of alcohol in your blood. A blood test or a Breathalyzer indicates the blood alcohol level. If the driver is under 21, the amount of alcohol necessary to be considered under the influence is considerably less than the standard for an adult. A conviction for a DWI or a DUI can include fines, loss of driver's license, and jail or prison time.

Anyone of legal drinking age who operates a motor vehicle with a **BAC**

(blood alcohol content) of 0.10g% has committed a DWI (driving while intoxicated) offense. Effective September 2003, this will change to 0.08g%. The DWI law also applies to using prescription medications in combination with alcohol. If the drug has a warning label against driving while taking the medication, against consumption of alcohol, or if you exceed the prescribed dosage, you have violated the DWI law. LA RS 14:98.

**Anyone under the age of 21 with a BAC of 0.02g% has committed an underage DUI offense! LA RS 14:98.1.**



### ***DID YOU KNOW.....?***

It is illegal for anyone to possess or consume an alcoholic beverage on school property, playgrounds, buildings, or parking lots. The punishment for this offense is a fine of not more than \$1000 or not more than 6 months in prison. LA RS 14:91.7.

### **CAN I SERVE ALCOHOL IN A RESTAURANT IF I'M A WAITER?**

If you are 18 or older and work in a restaurant, you are permitted to serve alcohol if there is an employee over 21 present. La. R.S. 14:93.10.

### ***HOW MUCH CAN I DRINK BEFORE EXCEEDING THE LEGAL BAC?***

There is no cut-and-dried answer to this question. Generally, large, lean, muscular males can tolerate more alcohol than males who have a larger percentage of body fat. Males can usually consume more alcohol than females because females are smaller and have more body fat and less lean muscle mass. Consumption of alcohol on an empty stomach will raise BAC faster than if a person has eaten first, and especially if he/she has eaten something with a high fat content that will coat the stomach and slow down the absorption into the blood stream. It also depends on the alcoholic content of the beverage consumed, and whether or not the person has ingested some other substance that also depresses the central nervous system.

Alcoholic beverages contain ethyl alcohol, which acts to depress the central nervous system. This impairs the consumer's ability to judge distance, slows down his/her reaction time, and impairs judgment and memory. Statistics show that at least 50% of the prisoners who are serving time in our prisons were under the influence of alcohol when they committed their crimes.

Because alcohol works directly on the central nervous system, it is a very addicting substance. A person who is addicted to alcohol will suffer physical withdrawal symptoms (delirium tremors or DT's) when they don't have any alcohol in their system. The person may have seizures, a high body temperature, hallucinations, and severe tremors or shaking. People can die from DT's if they don't get emergency medical attention.

When people drink too much alcohol at one time, they become "drunk." Speech becomes slurred; the person staggers when walking, often becomes nauseated, vomits, and may "black out." This is a very serious condition. Countless people have blacked out while drunk and have died. The reason for this is that when an unconscious person vomits, the vomit can aspirate (go into their lungs), and they literally drown in their own vomit. When a person gets behind the wheel of a vehicle drunk, they become a threat not only to their own safety, but also to everyone else on the highway.

Pregnant females who consume alcohol risk their unborn child being affected by a condition called *fetal alcohol syndrome*. When the baby is developing, alcohol interferes with the process and can cause the child to be born retarded, have distorted facial features, and other serious complications.

## **TOBACCO**

### **WHAT IS TOBACCO?**

**Tobacco** is an agricultural crop usually rolled in paper and smoked. Sometimes tobacco leaves are "dipped" or "chewed" so the nicotine is absorbed through saliva directly into the gums. Tobacco can be in the form of a cigarette, chewing tobacco, dip, cigars, or pipe tobacco.



## **CAN I BUY CIGARETTES?**

No. It is illegal for anyone under the age of 18 to purchase cigarettes or any tobacco products.

Even if a friend tries to give you a cigarette, it is also illegal for anyone to give or sell cigarettes, cigarette tobacco, or cigarette paper to any minor. It is unlawful for anyone to sell or distribute any tobacco product to a person under the age of 18. La. R.S. 14:91.8.

It is unlawful for any person under 18 years of age to buy or possess any tobacco product unless in the company of a legal guardian or parent 21 or older or in their residences. La. R.S. 14:91.8.

## **CAN I SELL CIGARETTES IF I WORK AT A STORE THAT SELLS CIGARETTES?**

A person under the age of 18 can sell tobacco as part of his or her job if there is another employee age 21 or older present. La. R.S. 14:91.8.

## **WHAT IF A POLICE OFFICER FINDS CIGARETTES IN MY POSSESSION?**

A law enforcement officer can seize any tobacco or tobacco product found in the possession of a minor. The officer may also issue you a ticket, which will require

you to pay a fine up to \$50. La. R.S. 14:91.8.



## ***DID YOU KNOW...?***

Inhaling smoke contributes to lung disease such as emphysema and lung cancer. Use of smokeless tobacco contributes to mouth cancer. The actual smokers are not the only persons affected. Others around them who breathe the second-hand smoke can also be adversely affected. Recent studies indicate that breathing second-hand smoke contributes to lung cancer.

If you don't know what emphysema is or how it affects your breathing, try this: Put a straw in your mouth; hold your nose, and pull air into your lungs through



the straw. Then you'll have an idea what it's like trying to breathe when your lungs have lost partial function. (Don't do this for too long because you won't be getting enough oxygen.)

Using any form of tobacco stains your teeth an unsightly color, and the smell lingers on your breath, in your hair and on your clothes. Some people say kissing a smoker is like licking a dirty ashtray. Every year, many people die in house fires that were started by someone who fell asleep with a cigarette or by a child that was playing with a cigarette lighter.

Pregnant females risk their children being born with low birth weight, which contributes to the child's risk of being born with developmental problems.

## **THE DARE PROGRAM**



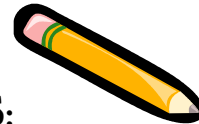
Daren the DARE Lion Pictured with Cpl. Darren Roan, WFPSO

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The DARE Program has a new addition and that is Daren the DARE Lion. Law

enforcement departments throughout the state bring Daren to the children of our state. He visits our elementary and middle schools and is a huge hit with the children! Daren participates in parades and many other community events, so be sure to watch for him at these events in your community.

**DARE** is a positive influence on our young children. Not only does the program help teach children to say "No" to drugs, but it also focuses on developing self-esteem and a positive self-image. The DARE Program is a cooperative program that includes the school system, the parents, and the local sheriff's department or police department. Children today face many obstacles, and the DARE Program is designed to help them to overcome these obstacles, so support *your* local DARE Program!



**NOTES:**

## OTHER DANGEROUS DRUGS

### WHAT IS A DRUG?

“Articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals.”

“Articles other than food intended to affect the structure of any function of the body of man or other animals.”

### WHAT IS DRUG DEPENDENCE?

**Drug dependence** is a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort of its absence.

### WHAT ARE SOME OTHER DANGEROUS DRUGS?

There are many other dangerous drugs besides tobacco and alcohol. You should consider any drug not prescribed to you as dangerous.

**Hallucinogens:** Substances that affect the central nervous system distorting the perception of objective reality. The most well known are angel dust, PCP, LSD, marijuana, and mushrooms.

**Stimulants** (uppers): Substances that temporarily increase the function of the heart, lungs, brain or nervous system. Commonly used stimulants are speed, crack, coke, crank, crystal meth, and yellow jackets.

**Sedatives** (downer): Substances that depress or slow down the body's functions inducing sleep or sedation. These drugs are also referred to as tranquilizers or sleeping pills. The most well known are Valium, Quaalude, Nembutal, and Tranxene.

**Inhalants:** Substances that are sniffed or “huffed” to give the user an immediate high or head rush. Aerosols and cleaning supplies are commonly abused.

Narcotics such as heroin, cocaine, opium, morphine, oxycontin, and methadone are illegal, except by prescription.

It is illegal to use, possess, transport, sell, furnish, or give away any of these dangerous drugs. La. R.S. 40:973.



### WHAT IS A “DATE RAPE DRUG”?

This is a drug used by an offender to render another person unconscious for the purpose of committing a crime such as rape or another sexual offense. These drugs may be colorless and odorless and can easily be put into someone's drink.



Some common **date rape drugs** are GHB, GBL, ecstasy, and roofies.

### **IS IT OKAY TO TAKE PRESCRIPTION DRUGS?**

Yes, but it is legal only if it is prescribed for you by a doctor and is taken according to your doctor's directions. It is illegal to take another person's prescriptions. It is also illegal to change a prescription or to use a fake ID to fill a prescription. La. R.S. 40:971.

It is unlawful to alter any **prescriptions**, or to attempt to obtain a prescription from a doctor using fraud, theft, deception or misrepresentation. LA RS 40:971.



### **WHAT IS A CONTROLLED SUBSTANCE?**

A controlled substance is any substance that the government thinks should be

monitored because of its potential for abuse.

### **WHAT ARE THE CATEGORIES OF DRUG CRIMES?**

The three main drug crimes are drug **possession**, drug **distribution**, and drug **manufacturing**.

- The crime of possession occurs anytime a person possesses any controlled substance without authorization. It can also occur when a person obtains a controlled substance using a false ID or alters a prescription.
- The crime of distribution occurs whenever a person sells, furnishes, gives away, delivers or distributes any controlled substance, unless authorized by law. This is a felony.
- Anyone over 18 years old who gives or sells to someone under 18 years old a controlled substance commits a felony and is not eligible for probation.
- The crime of manufacturing occurs when a person manufactures any controlled substance without legal authority or possesses any chemicals used to manufacture a controlled substance with the intent to manufacture the controlled substance.

- If someone is found guilty of manufacturing a controlled substance under certain circumstances, such as possession of a firearm, the presence of a child under 17 or manufacturing near a school or church, the crime is a felony.

## **WHAT IS DRUG TRAFFICKING?**

**Drug trafficking** is the possession of large quantities of illegal drugs. Trafficking is considered more serious than possession and distribution, because the amount would indicate planned sale for profit instead of personal consumption. Penalties for trafficking are more severe and are determined by the amount and type of drug. Drug trafficking is a crime under Louisiana and federal law.

For example, in Louisiana, a first offense for possession of a small amount of marijuana carries a fine of not more than \$500, 6 months in prison or both. However, subsequent convictions carry penalties of imprisonment of not more than 20 years! Fines for distribution of marijuana in large amounts range from \$50,000 to \$1,000,000. La. R.S. 40:967.

In the federal system, a person charged with the same offense will serve up to five years in prison and pay a fine up to \$250,000 for the first offense.



## **WHAT IS DRUG PARAPHERNALIA?**

**Drug paraphernalia** can include almost anything used for drugs.

The State of Louisiana defines drug paraphernalia as all equipment, products, and materials of any kind which are used for, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. La. R.S. 40:1033.

Examples of drug paraphernalia are hypodermic needles, pipes, scales, rolling papers, roach clips, bongs, and miniature cocaine spoons or vials.

### WHAT IF I HAVE DRUG PARAPHERNALIA BUT DO NOT HAVE ANY DRUGS?

You would be guilty of possession of drug paraphernalia if you have it with the intent to use drugs. Possession of paraphernalia is a misdemeanor.

It is unlawful to possess objects intended for use or designed for use as **drug paraphernalia**. La. R.S. 40:1033.

### CAN THE POLICE SEARCH FOR DRUGS AT SCHOOL?

Yes. In Louisiana, periodic, unannounced visits to any local public school for the purpose of detecting the presence of illegal drugs are legal. Drug dogs are one method the police may use to search for drugs.



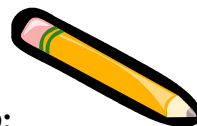
### ***DID YOU KNOW...?***

It is unlawful for any person to possess, distribute, produce, or manufacture any of these above drugs unless you are authorized by law to do so. La. R.S. 40:966-40:971.

Possession of 28 grams of cocaine is punishable by imprisonment at hard labor not less than 5 years, or more than 30 years, and a fine of not less than \$50,000 or more than \$150,000. La. R.S. 40:967.

Possession of 28 grams of amphetamines/methamphetamines is punishable by imprisonment at hard labor for not less than 5 years, or more than **30 years**, and a fine of not less than \$50,000 or more than **\$150,000**. La. R.S. 40:967.

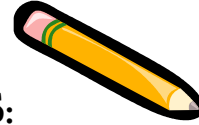
Persons over age 25 who distribute **narcotics** to persons **under age 18** can be imprisoned at hard labor for not less than 10 years, or more than 30 years. La. R.S. 40:981.



**NOTES:**



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Any person who distributes any controlled dangerous substance to any **student** at any school will be punished by a term of imprisonment of not more than **one and one-half times** the longest term of **imprisonment** authorized by the applicable provisions of La. R.S. 40:966-40:970 OR **twice the fines** authorized by these laws or both! La. R.S. 40:981.1.

It is unlawful for anyone to intentionally inhale model glue or other toxic vapors. La. R.S. 14: 93.1.

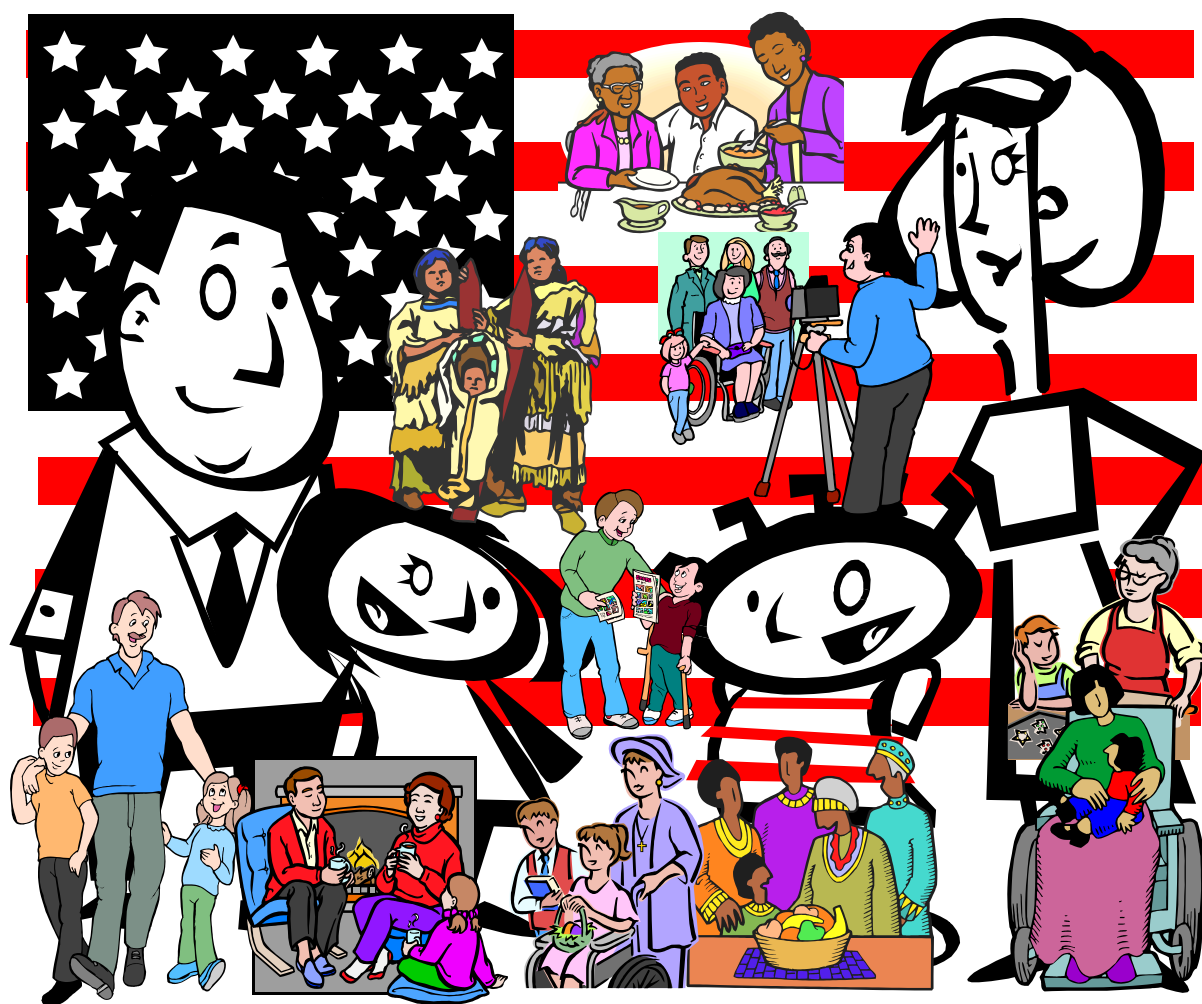
It is unlawful for a person to produce or distribute any imitation controlled dangerous substance. La. R.S. 40:971.1.



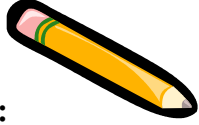
### **WHAT IF A DRUG DEALER SELLS NEAR SCHOOL OR AT SCHOOL?**

This is a very serious offense. Anyone who is found guilty of selling narcotics or other illegal drugs to any student enrolled in any public or private school, or on a public or private school campus can be sentenced to serve 1-1/2 times the prison term authorized by La. R.S. 49:966-970 for distributing drugs, or be required to pay twice the fines! La. R.S. 40:981.1.

## FAMILY



When you become a parent, you have certain rights and responsibilities. The laws in Louisiana encourage parents to care for their children and take certain responsibilities in raising their children. The law imposes certain rights and responsibilities on children, too. This chapter will explain the legal responsibilities and duties of families. However, while there are many laws governing family relationships, respect is the key to a happy family.



**NOTES:**

## PARENTS' RESPONSIBILITIES AND RIGHTS

### WHAT DOES THE LAW SAY ABOUT THE RELATIONSHIP BETWEEN MY PARENTS AND ME?

Your parents have the right to “custody and control” of you. Custody and control means you must obey your parents and they must take care of you.

### WHAT IS MY RESPONSIBILITY TO MY PARENTS?

You have the legal responsibility to follow your parents’ rules and go along with their decisions.

### WHAT ARE MY PARENTS’ RESPONSIBILITIES TO ME?

Parents must provide you with necessary food, clothing, shelter, and medical care. They must provide supervision, discipline, and protection for you. They must furnish support and education according to what they can afford. They cannot desert or abandon you. La. Ch.C. Art. 116.

### CAN MY PARENTS SPANK ME?

Yes. Custody includes the right to discipline you, which may include spanking. They may be strict with you as long as they do not endanger your health and welfare.



### WHAT IF I'M A PARENT ALSO?

Your parents’ responsibilities remain the same. If you are a minor and have a child, you are subject to the same responsibilities required of all parents.





**DO I HAVE TO LIVE WHERE MY PARENTS TELL ME TO LIVE?**

Yes. They have the legal right to determine where you live.

**WHAT HAPPENS IF MY PARENTS DIVORCE?**

Your parents are still your parents and have certain responsibilities to you. Where you live may be determined by your parents or by a judge. Your wishes, though, may be considered.



**DO MY PARENTS HAVE A RIGHT TO MONEY I EARN?**

Yes. Because they take care of you, they are entitled to your services and earnings to use for household expenses or your care.

**CAN MY PARENTS OPEN MAIL ADDRESSED TO ME?**

Yes. Parents have control over and can accept delivery of their children's mail. U.S. Postal Service Domestic Mail Regulations §153.22.

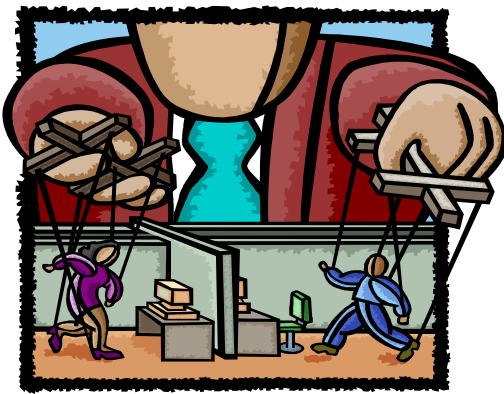
**WHAT CAN MY PARENTS DO IF I REFUSE TO OBEY THEM?**

They may discipline you as they deem appropriate as long as they don't endanger your health or welfare. If you still refuse to obey them, your parents may ask the juvenile court system to assume responsibility over you.

A court may decide that you are a child in need of supervision, and you may be referred to the appropriate juvenile program. Once the court does this, the court will have authority over you and can decide where you will live and what you will do.

**CAN I DRINK ALCOHOL OR SMOKE CIGARETTES IF MY PARENTS GIVE ME PERMISSION?**

Your parents cannot give you permission to break any laws. It is unlawful for any person under 18 years of age to buy or possess any tobacco product unless in the company of a legal guardian or parent 21 or older or in their residences. La. R.S. 14:91.8. Adults and minors can be charged with contributing to the delinquency of a minor if they aid a minor in breaking a law.

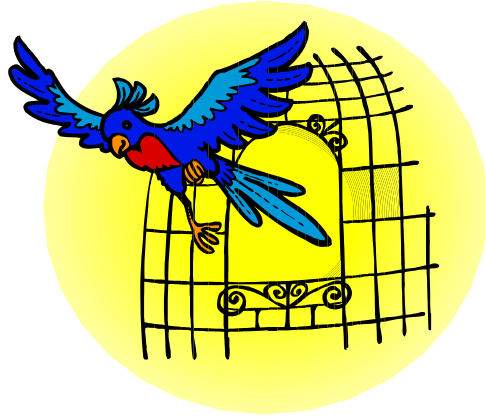


**DO MY PARENTS EVER STOP HAVING “CUSTODY AND CONTROL” OVER ME?**

Yes. When you turn 18 years old you are considered an adult. Your parents are no longer responsible nor do they have legal

control over you. This is called **emancipation** or reaching the “age of majority.”

**WHAT IS EMANCIPATION?**



**Emancipation** occurs when you legally gain control and responsibility over all decisions in your life even if you are under the age of majority. Your parents are no longer responsible for you or your actions.

You may be emancipated before you turn 18 if you get married, join the military, or are declared emancipated by a court. If you are emancipated, you are treated as an adult and take on the responsibilities of an adult except that you cannot buy, sell, or consume alcohol until you reach the age of 21. Even though you are married, if you commit a crime while you are under the age of 18, your case could still be handled in the juvenile system instead of the adult system.

You could apply for emancipation for yourself, but you must be of a specific age, be willing to live apart from your parents with their consent, and have a legal source of income for your

support. Your parents/guardians can also apply to have you emancipated as an “incorrigible” if you become a discipline problem and they don’t want to be held responsible for your behavior.

## **PARENTS’ LIABILITY**

### **WHAT DOES “PARENTS’ LIABILITY” MEAN?**

It means that your parents are responsible for you and for what you do until you are 18 years old or are legally emancipated.

### **IF I DAMAGE SOMEONE ELSE’S PROPERTY, WILL MY PARENTS HAVE TO PAY?**

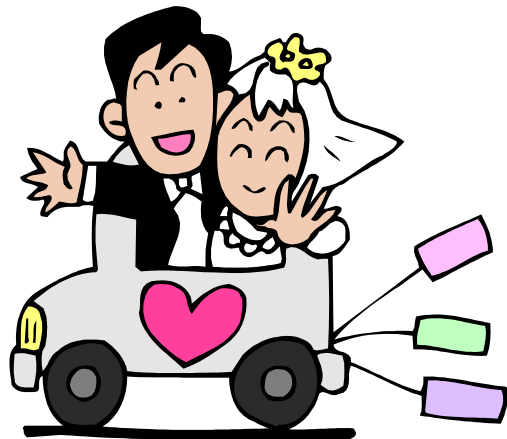
Your parents may be required to pay for any of your acts that cause injury or damage to another person or to their property.



### **IF I DAMAGE SCHOOL PROPERTY, ARE MY PARENTS ALSO RESPONSIBLE?**

Your parents are responsible for the actual cost of any damages that you have caused to school property.

## **MARRIAGE**



### **WHEN CAN I GET MARRIED?**

You may marry if:

- You are 18 years of age or older, obtain a marriage license, and
- You have consent of your parents or guardians in writing if you are less than 18.
- Any person under the age of 14 years is not allowed to marry under any circumstances.

## CHILD NEGLECT & ABUSE



### WHAT IS CHILD NEGLECT?

**Child neglect** occurs when parents fail to meet their responsibilities to take care of their child. Neglect includes, but is not limited to, the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

### WHAT IS CHILD ABUSE?

**Child abuse** is harm or threatened harm to the health or welfare of a person under the age of 18. Harm may include an intentional, reckless or negligent physical or mental injury, or **sexual abuse**. La. R.S. 14:93, La. R.S. 14:403.

### WHAT SHOULD I DO IF MY PARENTS ABUSE OR NEGLECT ME?

If neglect or abuse happens to you at home or any other place, you can report it to the sheriff's department, city police, or the State of Louisiana Child Protection Hotline. You can report it to someone you trust. Even if someone threatens to harm you if you ever tell about the abuse, you should report it for your own protection and welfare and that of others.

### WHO HAS TO REPORT CHILD ABUSE/NEGLECT?

Anyone can report child abuse or neglect, and any form of neglect or abuse involving a minor should be reported to the police or to the state Child Protection Agency as soon as possible. For your own protection, it is important to report any incident of neglect or abuse even though someone may have threatened you if you do so. No one should ever be subjected to neglect or abuse.



People in these jobs listed are required to report observations, knowledge, or reasonable suspicions of child abuse:

- Child care custodians: school employees, teachers, foster parents, camp counselors;
- Medical practitioners: physicians, psychiatrists, dentists, nurses, psychologists;
- Non-medical practitioners: counselors, religious practitioners who treat children;
- Protective agency employees: police, probation officers, social workers, and others.
- La. R.S. 14:403, La. Ch.C. Art. 609.

Although private citizens are not yet required by law to report suspect child abuse or neglect cases, it is strongly urged that citizens report the abuse or neglect for the welfare of the child. Private citizens may make reports by contacting their local law enforcement officials, or in emergency situations, by dialing **911**.

### **WHAT HAPPENS IF A REPORT OF NEGLECT OR ABUSE IS FOUND TO BE TRUE?**

A social worker for the Child Protection Agency will file a petition in the juvenile court to have the child removed from the home if conditions are unsafe and will ask the court to adjudicate the child a “dependent child.” After evidence is presented and the court finds the child to be dependent, the child may be placed in a foster home until a permanent

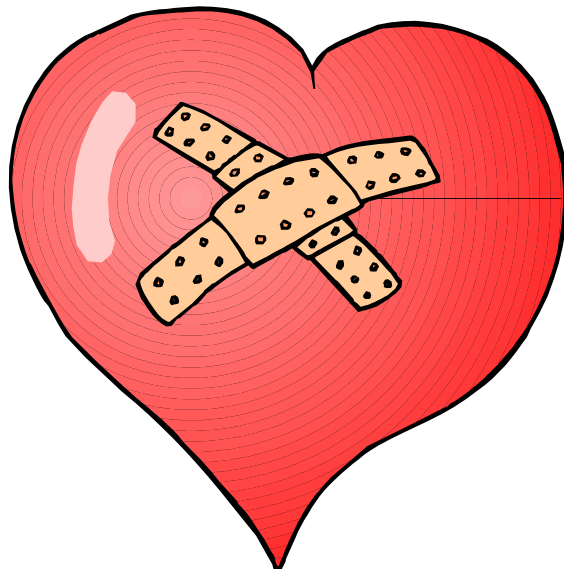
placement is agreed on. If appropriate services can be provided to the family, the child may be returned to the parents. If not, a child may be placed with relatives. If these options do not work, the parents’ parental rights may be terminated and the child placed for adoption.



### **WHAT WILL HAPPEN TO ME?**

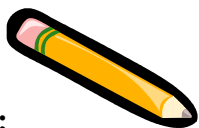
If you are abused, neglected, or without anyone to care for you, you may be taken to a safe place by a police officer. A social worker will interview you and your parents before deciding what to do. The social worker may decide to return you to your parents or to arrange for you to be placed in a foster home for up to 72 hours before your hearing in juvenile court.

After hearing from everyone, the court will decide what to do. The court can dismiss the case or find you to be a **dependent child**. If you are found to be a dependent child, the court will require that arrangements be made for proper care and supervision for you until you are 18 years of age, and 21 years of age in special circumstances.



### WHAT IS DOMESTIC VIOLENCE?

**Domestic violence** is an assault on someone who lives or used to live in your house as a member of your household. La. R.S. 46:2132. The punishment for domestic violence is more severe than for other assaults. For example, La. R.S. 46:2136.1 requires the perpetrator of the domestic violence to pay all costs of medical and psychological care for the abused adult and any of the children. The abuser also is required to pay all court costs, attorney fees, evaluation fees, and witness fees incurred as a result of the domestic violence.



**NOTES:**



## RECREATION

### HUNTING AND FISHING



Recreational activities are fun and exciting, but some can be hazardous. This chapter will outline a few activities that have certain regulations such as age and license requirements. It is always important to know what laws apply to you while hunting, camping, boating, or enjoying other recreational activities. Have fun, but be responsible!



### **CAN I GO HUNTING?**

Yes. Anyone under 16 years old can hunt without a license. Unless you are hunting on your parents' land, you have to be accompanied by an authorized adult hunter.

If you are 16 years or old or older and hunt anywhere other than land that you own, a hunting license is required before you may hunt any bird or fur-bearing animal. When hunting, licensed hunters must carry their licenses and be ready to show them when asked.

You must have permission to hunt or fish on someone's property or you can be charged with theft and/or trespassing. La. R.S. 14:63.

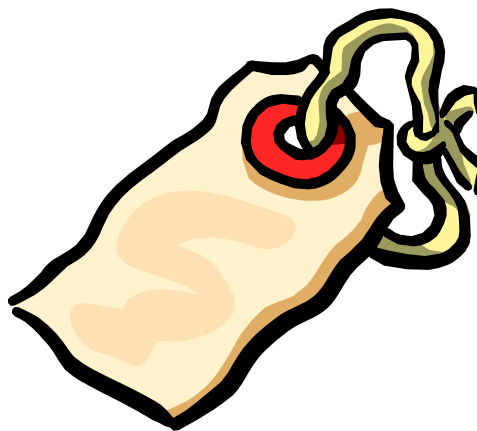
If you injure or kill someone because of unsafe hunting/fishing habits, you and/or your parents could be held legally responsible. If you kill someone, you

could be charged with negligent homicide. La. R.S. 14:32, La. R.S. 14:501.

### **HOW DO I GET A HUNTING LICENSE?**

Licenses are usually sold at places that sell sporting goods. Recreational licenses are valid from July 1 to June 30 of the next year.

To get a hunting license, you must 16 years old or older, have a driver's license or other proof of permanent residence. If you were born on or after August 1, 1977, you must have proof that you have taken a hunter safety course approved by the Department of Conservation and Natural Resources. You must also pay the license fee.



### **CAN I SELL WHAT I KILL?**

No. You cannot take more than the designated legal limit for the type of game. It is also illegal to sell or buy any game that is taken under a hunting/fishing license unless you buy a commercial license. La. R.S. 14:48.



## **DO I HAVE TO GET A FISHING LICENSE?**

No, if you are under the age of 16 (or older than 65) and can show proof of your age and that you live in Louisiana, you do not have to get a fishing license. A license also is not required for any person who fishes in a private pond or fishes with a hook and line in the parish where he or she resides. You must have a license to fish if you are between the ages of 16 and 65 and use a rod and reel, artificial bait, fly or lure.

## **WATER SPORTS**

### **CAN I DRIVE A BOAT OR JET SKI?**

To operate a motorized vessel, such as a Jet Ski, you must be 13 or older and be certified in boat safety to receive a Louisiana Boat Operator license. At the present, there is no law requiring a license to operate a motor boat. These laws do not apply to rowboats, sailboats, or canoes because they are not motorized. La. R.S. 32:387.



## **HOW DO I GET A LOUISIANA BOAT OPERATOR LICENSE?**

You can apply for a Louisiana Boat Operator license. Check with the Louisiana Department of Public Safety for a manual to study for the exam. Upon successful completion of the exam, you will be issued a Louisiana Boat Operator license.

## **CAMPING**



### **WHERE CAN I CAMP?**

You may camp in public areas that are marked for camping. That includes national parks, state parks, and other areas set aside for camping. Most cities in our country have laws against camping in city parks. Do not camp on private property without permission because that is “**trespassing**”, and it is against the law.

When you do camp in a park, be sure to follow the posted rules for the park concerning hours of operation, rules about vehicles, fires, pets, littering, fishing, hunting, use of alcohol, etc. Check the rules before setting up camp.

## PARKS

### ARE THERE SPECIAL RULES THAT I MUST FOLLOW IN A PARK?



Yes. Parks are public places for everyone to use and enjoy. Park rules should be checked and carefully followed when you are in a park. In addition to park rules, most states and local governments have their own rules posted in their parks.

Rules include closing times, bicycle and vehicle rules, use of guns and weapons, disturbing the peace, use of fire, littering, use of drugs and alcohol, and other offenses.

## PETS

### ARE THERE LAWS THAT I MUST FOLLOW AS A PET OWNER?

Yes. As a pet owner, you must keep your pet safe from harm and make sure it gets

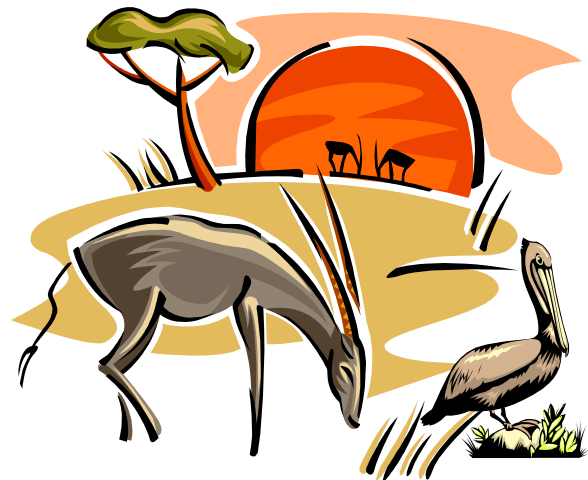
the care it needs (food and water). Any dog or cat over three months old must be vaccinated for rabies annually and wear a current tag. La. R.S. 14:102.

### DOES MY DOG HAVE TO BE ON A LEASH?

Your dog may have to be on a leash when on public property and when outside in many cities. Check with your parish health department or city officials for local rules.

### CAN I HAVE A WILD ANIMAL AS A PET?

No. You may not capture a bird, fish, reptile, or other animal in the wild and take it for a pet.



### ARE THERE LAWS ABOUT ANIMAL CRUELTY?

Yes. It is illegal to neglect your own pet, to kill or injure an animal belonging to someone else, or to treat any animal cruelly.

Cruelty to a dog or cat is a misdemeanor. Intentional cruelty is a felony.

It is also illegal to hold dog or cock fights because such activity is considered a form of cruelty to animals La. R.S. 14:102.9.

### **WHAT IF I KNOW SOMEONE WHO ABUSES ANIMALS?**



You should report this to an adult you trust, such as your parents, teacher, school counselor, or school resource officer. Someone who is cruel to animals should be considered dangerous and is likely to hurt people as well.

## **PARTIES**

A party or a social gathering is a time to be enjoyed with your friends. You should remember to be respectful of other people and their property.

### **IF YOU GIVE A PARTY OR GO TO A PARTY.....**

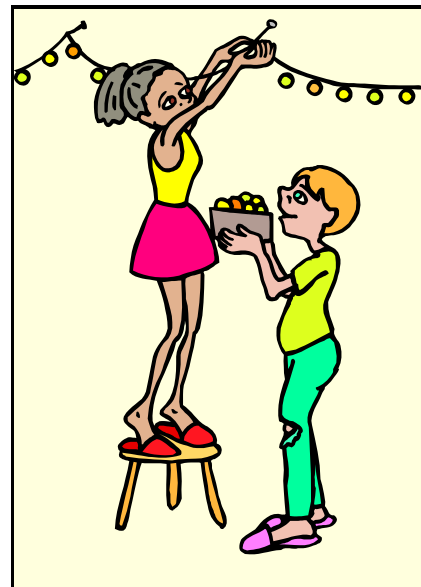
These activities are called disturbing the peace:

- Rowdiness
- Fighting
- Loud music
- Keeping the party going too late.

La. R.S. 14:103.

Use of drugs and alcohol comes under another set of laws that are outlined in the “Alcohol and Other Drugs” section of this manual.

Your parents and/or guardians are responsible for what goes on in their home – *even if they don’t know you’re having a party while they are not home.* Additionally, many communities have **curfew** laws, and it is illegal to continue partying past curfew.



## **WHAT IF SOMEONE “CRASHES” MY PARTY?**

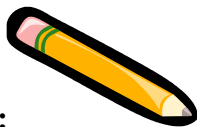
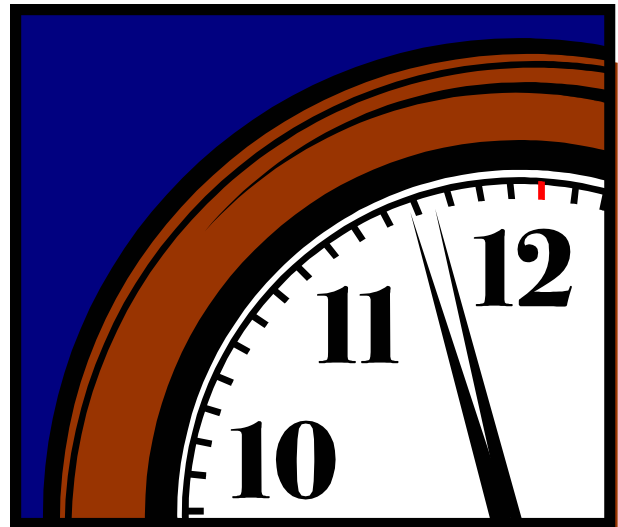
Usually, parties are by invitation only. If someone shows up and was not invited, you may ask them to leave. “Crashing” a party is trespassing. If the intruders refuse to leave, you or your parents can call the police to have them removed if necessary. La. R.S. 14:63.



## **CURFEW**

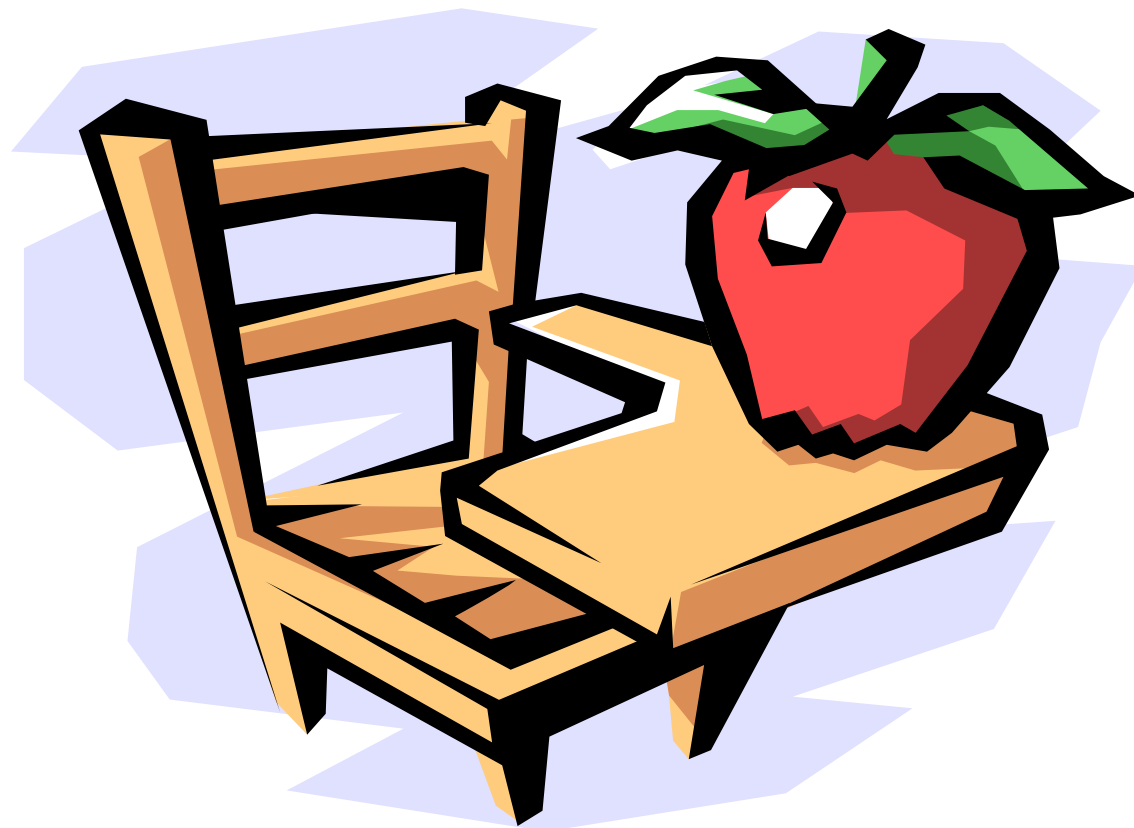
### **WHAT IS A CURFEW?**

A **curfew** is the time set by a city or parish when a minor is no longer allowed to be out on the street without lawful business. There are usually exceptions when you are traveling to or from work. Check with local city or parish officials. Parents or the juvenile court may also impose individual curfews.



**NOTES:**

## SCHOOL



As a student in Louisiana, you have a constitutional right to an education. There are rules and regulations you must follow concerning school attendance and conduct. School is meant to be a safe and structured learning environment for everyone. It is your responsibility to uphold school rules. Take pride in your school and education. This chapter outlines the basic rights and responsibilities of students, parents, teachers, and administrators.

## STUDENTS RIGHTS AND RESPONSIBILITIES



### DO I HAVE TO GO TO SCHOOL?

Yes. An education is critically important to the development of productive citizens. The State of Louisiana encourages you not only to graduate from high school, but to enter one of the many colleges within the state or to attend college outside the state. Doing so will increase your future earning capacity and improve your livelihood. At the very least it is your legal responsibility and that of your parents or guardian to see that you go to school full-time from ages 6 to 16. It is also the duty of your parents to re-enroll you in a new school system if you move. All students enrolled in public schools must adhere to the school attendance and truancy laws. If you are under the age of 18, and you are not in school, your driver license will be suspended within 30 days unless you can show proof that you have re-enrolled or have graduated or have been issued a G.E.D. (General Education

Development certificate obtained for the equivalency of a high school diploma).

### WHO MUST ATTEND SCHOOL?

Legally, all students must be in school unless they have:

- A medical or dental appointment;
- A religious holiday or ceremony;
- An absence requested in advance by parents/guardians; or
- Any other justifiable reason.

All persons from the age of 6 to the age of 16 must attend school. It is your parents' or guardians' responsibility to see that their children attend school. They are subject to prosecution if they do not make you attend school. La. Ch.C. 733.1.

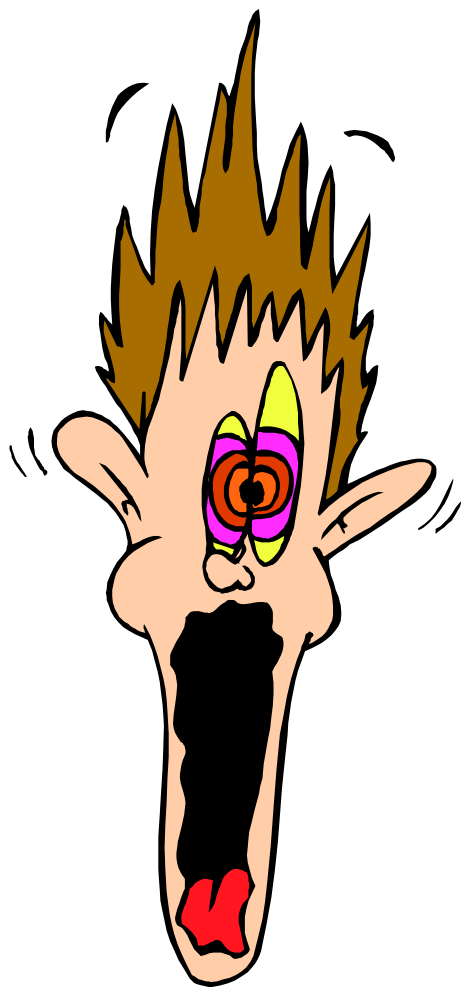
A **truancy petition** can be filed against you if you do not attend school, and you will have to appear in court with your parents or guardians. Then you might have to attend alternative classes, do community service work, participate in counseling, or perform other sanctions.



Students between the ages of 16-18 can attend school part-time, can graduate

early, and may complete a **GED** program to finish high school.

You must attend the public school in your district. If you move, your parents must enroll you in school in the new district. At age 17, you may withdraw from school, but your parents must be notified. If you receive full-time instruction at a private school or through an approved home-school program, you do not have to attend public school.



**If you do not attend school, your driver's license may be suspended until you reach age 18.**

## **WHAT ARE MY RESPONSIBILITIES AS A STUDENT?**

You must obey lawful school rules and orders, follow the course of study, and respect your teacher's authority.

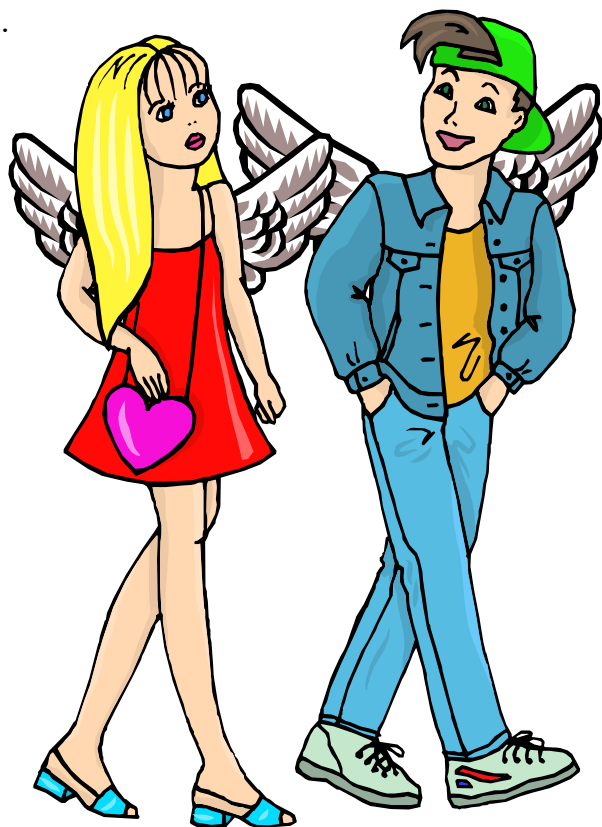
Each school system maintains its own code of conduct that conforms to minimum standards set by the State Department of Education. If you do not receive a copy of the school code, you should consult your school. If a school system does not have a code of conduct, then the standards set by the State Department of Education will be used until the system establishes a code.

You must attend school regularly and on time; you must obey school rules, obey the lawful directions of your teachers and others in authority, observe good order and behavior; attend to your studies; and show respect to teachers and other students who give you respect. You cannot hit, swear at, or abuse school employees. La. R.S. 14:34.3.





While on the school grounds or under school supervision, you are required to avoid unlawful activity, including sexual activity, swearing, drinking or possessing alcohol, gambling, using dangerous drugs, or using or having tobacco in your possession. La. R.S. 14:91.7.



You cannot do anything that injures other students or school employees, or that damages school property. La. R.S. 14:225. If you cause personal injury or property damage to the school, you may be suspended or expelled. In addition, you and your parents may be held financially responsible.

## **WHAT ARE MY RIGHTS AS A STUDENT?**

Students should be allowed to learn in a safe classroom setting where order and discipline are maintained. Students learn at the level of their capabilities. Every child is entitled to have access to a program of instruction that gives them the right to learn in a non-disruptive environment. *No student has the right to be unruly to the extent that such disruption denies fellow students the right to learn.*

## **DO I HAVE TO WEAR A UNIFORM TO SCHOOL?**

This depends upon school policy. Many schools enforce school uniform policies. Check with your local school system if this is an issue at your school.





## **CAN I GO TO A PRIVATE SCHOOL?**

Yes. The school must qualify as a private school under Louisiana law. There are also certain state requirements for enrolling in a home schooling program.



## **ARE THERE SCHOOL PROGRAMS FOR PHYSICALLY AND MENTALLY CHALLENGED STUDENTS?**

Yes. Both the federal government and the State of Louisiana require that educational programs for every kind of disability be made available. This includes programs for those with a

speech, hearing, or sight disability, the physically challenged, those with learning disorders, and severely handicapped students.

## **PARENTS' RESPONSIBILITIES & RIGHTS**

### **WHAT ARE MY PARENTS' RESPONSIBILITIES WHEN IT COMES TO MY EDUCATION?**

Besides ensuring that you attend school regularly, parents have other responsibilities. They can be criminally liable for your conduct in school. Parents should monitor and supervise your schoolwork and any educational activities in which you are involved.

Parents are responsible for your immunizations as required by the state health officer.



## **WHAT ARE MY PARENTS' RIGHTS WHEN IT COMES TO MY EDUCATION?**

Parents or guardians have the right to:

- Maintain regular contact with teachers and administrators about you and to see your school records.
- Disagree with the teachers and administrators, but not to insult, abuse, or interfere with them. La. R.S. 14:328, 14:122.1.
- Be notified and to give their written permission before you can be given a questionnaire, survey, or examination regarding your parents' or your own personal beliefs, sex practices, family life, or religion.
- Decide whether or not you will attend sex education classes.
- Be consulted about your placement in special programs.



Your parents may refuse permission for you to have a physical or psychological examination. When a physical or psychological defect has been noted by school officials, a report must be given to your parents.

The local code of conduct must be made available for parents at the beginning of each school year. Schools are also required to provide a written policy on student discipline and behavior to all parents, students, and teachers.

Parents have a right to be informed of their education-related responsibilities as a parent to their children. The Louisiana State Legislature recommends that the business community and government agencies give administrative leave to parents for the purpose of attending parent-teacher conferences, and involvement in other educational experiences of their children.

## SCHOOLS' RESPONSIBILITIES & RIGHTS

### WHAT ARE THE RESPONSIBILITIES OF TEACHERS AND ADMINISTRATORS?

Generally, the responsibilities of teachers and administrators are determined by your school's board of education.

Teachers and administrators have the responsibility to:

- Enforce the course of study.
- Enforce the use of certain textbooks.
- Support and enforce the rules and regulations required by law.
- Hold students responsible for their conduct going to and from school and at any school activity.



Corporal punishment such as paddling may be used by school personnel to

maintain order and discipline in the school.

Students can be temporarily or permanently removed from school for commission of serious violations of school policy and/or a Louisiana statute.

The school system has a rulebook that outlines both required and prohibited behavior while on school property, school transportation, and during school-sponsored activities.



If you have questions, you can contact the school resource officers or school employees at the local telephone numbers you have written on the back of this manual.

### CAN TEACHERS, ADMINISTRATORS, OR SCHOOL RESOURCE OFFICERS SEARCH ME?

School officials and school resource officers can conduct searches on public school property, on school buses, and at

school events. Your locker, your purse, your vehicle and other property you possess may be searched. Students can be required to submit to drug testing. School officials can also question you about suspected thefts. The use of detection dogs and metal detectors is permitted. La. C. Cr. P. 215.1.



School officials can conduct a search if they have “**reasonable suspicion.**” Reasonable suspicion can be a hunch based on their observations of you and your behavior, or a tip from another student or a teacher. If the search produces an illegal weapon, substance or evidence of criminal activity, the administrator will then contact the School Resource Officer (SRO) or local law enforcement. School officials have the responsibility to notify law

enforcement when a crime has been committed on school property.

### **WHAT IS A SCHOOL RESOURCE OFFICER?**



A **school resource officer (SRO)** is a full-time law enforcement officer in the school with the goal of creating and maintaining a safe educational environment. SROs play different roles, including:

- SROs are law enforcement officers who keep the peace in schools.
- SROs are advisors and counselors.
- SROs act as liaisons between the school and the police, and
- SROs are law-related education teachers.

Beyond these roles, and perhaps most importantly, SROs are positive role models for many students. SROs can also help change the negative perception of police officers by establishing positive relationships with students.

### **RESOURCE OFFICER PROGRAMS**

Several parishes have implemented School Resource Officer Programs as part of a cooperative effort between education, law enforcement, and the community. These programs promote positive and effective communication between youth, teachers, and law enforcement. In addition to their duties as deputies, they sometimes substitute in the classrooms for the absent teachers. This is the exciting part of this School Resource Officer Program. Not only do the School Resource Officers interact with the students between classes and at sporting events, but they also interact with them in the classroom setting.

The goals of the SRO program are simple. The goals are to:

1. Create a safer school environment by:

- ✓ Encouraging more positive attitudes towards rules, laws and society;

- ✓ Supporting conflict resolution and the responsibilities of citizenship;
- ✓ Teaching young people the concepts of the criminal justice system, objectives of law enforcement with regard to public and individual safety; and
- ✓ Assisting in the prevention of delinquency and criminal activity among young people.

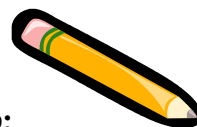
2. Dispel misconceptions about law enforcement and society;

3. Act as a sounding board for students' concerns;

4. Act as liaison with courts, social services and other community programs.

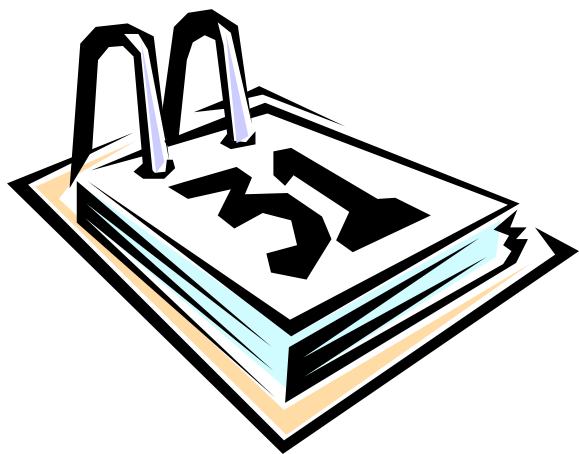
5. Be a resource for information and community presenters.

There are School Resource Officers, who work at many schools in our state. Get to know the SRO assigned to your school, and don't be afraid to ask for help when you need it.



**NOTES:**

## TRUANCY



### WHAT WILL HAPPEN IF I DECIDE TO SKIP SCHOOL?

You must attend school for the number of days required. Your parents must be notified if you are absent. If you violate this law, you may be charged with the offense of truancy. **Truancy** is the failure of a student to attend school. La. Ch. C. 791.

### WHAT MIGHT HAPPEN NEXT?

If you are a habitual **truant** (excessive tardies and absences), you must be reported to the juvenile court. You will be taken into custody and brought before the juvenile court for a hearing and decision. Your parents may also face being charged with an offense. It is possible that the privilege of your applying for a driver's license could be suspended or denied.

## SUSPENSION & EXPULSION

### WHAT IS "SUSPENSION"?

**Suspension** is the temporary removal of a student from school or class. You can be suspended by the principal of your school for a day for "**good cause**" or when other means of correction fail to bring about proper conduct. The principal may do this for a period of not more than five days at a time.

If you are suspended, your parents or guardian must be notified and a meeting held with them to discuss why you were suspended, what school rules you broke, and how long the suspension should last. While you are suspended, you are not allowed to participate in any other school activities.



Each school system has its own code of conduct and penalties based on specific misconduct.

## WHAT IS EXPULSION?

**Expulsion** means that you are not allowed to attend school as punishment for violating a school rule. Your school board must approve any expulsion action. When you are expelled from one school, you cannot attend any other school in that school system. When expelled for a firearm violation, you cannot attend any school in the state of Louisiana except an alternative school.



Generally, you will also be prohibited from entering school grounds and from participating in any extracurricular activities or sports.

Your driver's license will be suspended within 30 days unless you can show proof that you have enrolled in another educational program.

## WHAT IS "GOOD CAUSE"?

**"Good cause"** refers to acts constituting grounds for suspension or for expulsion. Some, but not all, such acts include the following:

- Damage to or theft of school property;
- Damage to or theft of private property;
- Causing, attempting, or threatening physical injury to another;
- Possessing a cellular phone or pager without prior permission;
- Possessing, selling, or providing a firearm, knife, explosive, or other dangerous object;
- Possessing, selling, providing, or being under the influence of a dangerous drug, alcoholic beverage, or other intoxicant;
- Possessing or using tobacco;
- Committing an obscene act or regularly using profanity or vulgarity; and
- Disrupting school activities or otherwise defying authority.



### DO I HAVE ANY WAY TO DEFEND MYSELF FROM BEING SUSPENDED OR EXPELLED?

Yes. You can follow the school rules and your local and state laws.

You can be suspended or expelled for reasons listed under “**good cause.**” This extends to conduct occurring off school grounds and after school hours if you are at a school-sponsored function. If you are facing suspension, you and your parents should attend the meeting that is called to consider your case. There, you may present your side of the facts.



If you are facing expulsion, there is a system of rules to follow, including a hearing held by the principal that you and your parents should attend. A notice will be sent to you before the hearing. The law sets time limits for this hearing and for the one later by the school board. If the local school board decides to expel you, you and your parents have a time limit to appeal their decision to the State Board of Education, which will hold a hearing at your request. The decision of the board is final.

### DO I HAVE TO GO TO SCHOOL IF I AM EXPELLED?

Yes. Even if you have been expelled from one school, you must still go to school if you are under 16 years old. Your parents will have to find another school that will accept you. This may include private schools, another public school system, or use of a tutor and approved home school program. A few school systems offer alternative schools for this purpose.



### WHAT IF I SHOW UP AT A SCHOOL ACTIVITY OR SPORTING EVENT WHILE I'M SUSPENDED OR EXPELLED?

You could be charged with **trespassing** (see Chapter 3) and your punishment could be extended. Most schools have a policy of not allowing you to participate in any school-related activities until your term of punishment is completed.



## IS IT WRONG TO HANG AROUND THE SCHOOL GROUNDS AFTER SCHOOL IS DISMISSED?

Unless you have some lawful business there, and you are authorized to be there, hanging around school after school hours is considered **loitering**, which is a misdemeanor. La. R.S. 14:107.



## WHAT ARE SCHOOL GROUNDS?

**School grounds** are areas defined as part of the campus. This includes the main campus, auditoriums, sporting arenas football and baseball fields, tracks, vocational facilities, the cafeteria, and even the school bus.

School bus stops not located on the main school campus are not considered a part of the school grounds, but all laws and school policies must be followed while waiting to catch your school bus to take you to school and when you get off the school bus at the bus stop after school. If

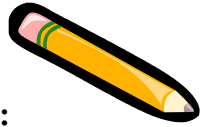
you violate a law or school policy while at the bus stop, you may face penalties at school and criminal or civil prosecution.



## WHAT IS A SCHOOL FUNCTION?

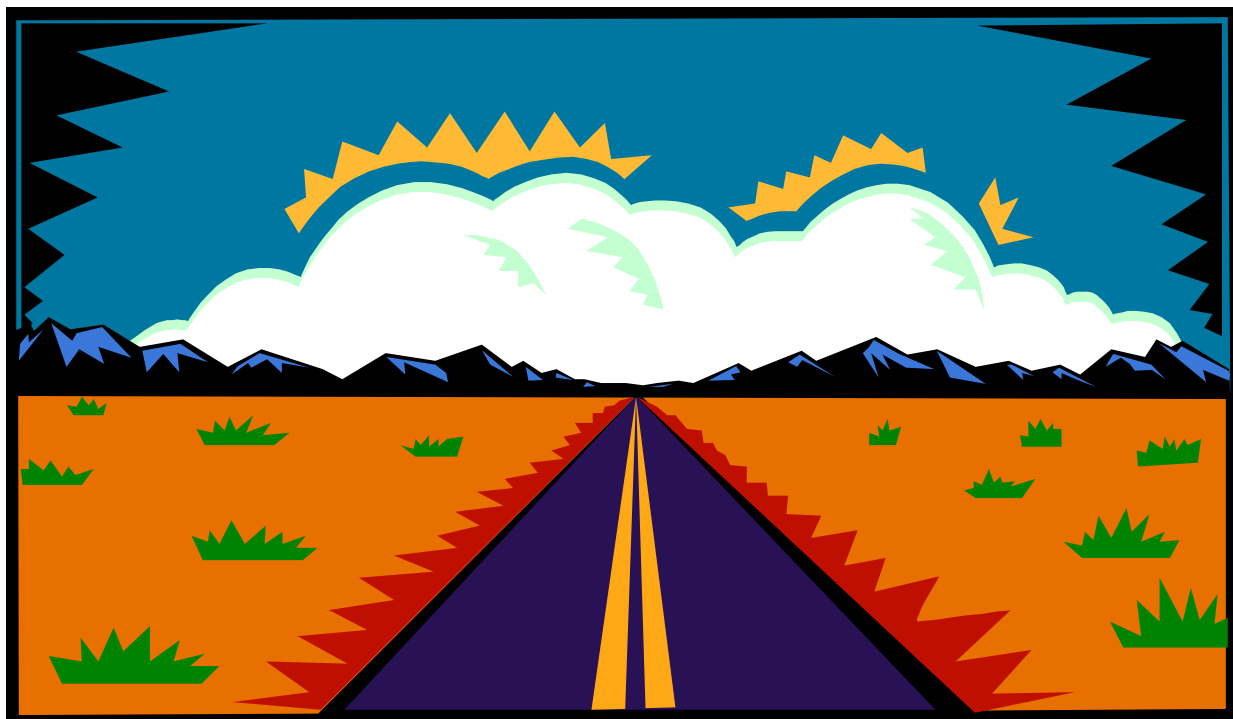
A **school function** is anything sponsored and controlled by school officials. Even if the event is held somewhere other than school property, you are required to follow all school rules. This would include sporting events, dances, plays, pep rallies, fund raisers, and field trips.





**NOTES:**

## DRIVING AND TRANSPORTATION

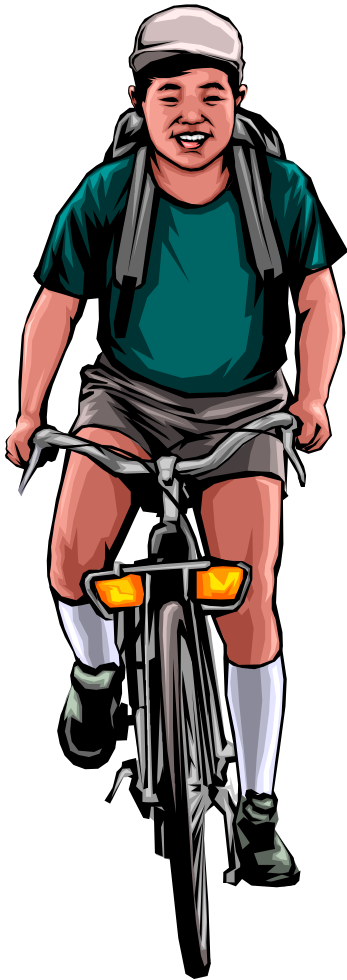


In our fast-paced society, we are constantly traveling to and from school, practices, club meetings, church and other social events. Until you are old enough to drive an automobile or a motorcycle, you may use other forms of transportation, such as a bicycle, skateboard, or scooter. There are laws in Louisiana regarding bicycles, skateboards, and motor vehicles. There are even laws for pedestrians. For your protection and safety, you should be aware of these laws. This chapter includes other helpful information, such as how to get a driver's license, and what to do if you are involved in an accident. When it comes to transportation be streetwise!

## BICYCLES

### WHAT IS THE LEGAL DEFINITION OF BICYCLE?

A **bicycle** is a vehicle that has two wheels, one behind the other, handlebars for steering, a seat, and is propelled by the action of a rider's feet upon pedals.



### ARE THERE SPECIAL LAWS FOR BICYCLE RIDERS?

Yes. Every person who rides a bicycle on a roadway or any paved shoulder of a roadway must obey all the laws that the

Driver of a car must obey. A police officer may stop you if you break one of the laws.

Registering your bicycle is not required, but it is a good idea to do so, because the police will then have a record of the frame number. Then, if your bike is stolen and found, the police will be able to return it to you. Otherwise, the bike will probably be sold at a public auction, because the name of the owner is unknown.

### DO I NEED ANY SPECIAL EQUIPMENT TO RIDE A BICYCLE?

Every bicycle must:

- Have a brake that will make the braked wheel skid on dry pavement;
- Have a permanent and regular seat for the rider;
- Have a white light on the front and a red reflector on the back when ridden after dark;
- Have a white or yellow reflector on each pedal and on each side to the rear of the center of the bicycle.

**All bicycle riders under the age of 16 must wear a bike helmet.**



## **WHAT ROAD RULES SHOULD I FOLLOW?**

Do not ride on the sidewalks. Ride in the bicycle lane if one is provided. If there is no bicycle lane, ride as close to the right-hand side of the road as you can. Ride in the same direction as the cars are going.

Come to a stop at red lights and stop signs.



Do not carry another person on the handlebars.

Do not hitch yourself and your bicycle to a car or other motor vehicle.

Always keep at least one hand on the handlebars when you are carrying things.

Give right-of-way to cars and pedestrians.

Do not give anyone a ride on your bicycle unless there is a separate seat for the passenger.

Do not ride on an interstate highway or any other controlled access highway.

## **MOTOR VEHICLES**



## **WHAT IS CONSIDERED A MOTOR VEHICLE?**

A **motor vehicle** is any vehicle that runs on its own power. In other words, it has a motor. This includes cars, buses, trucks, motorcycles, motor scooters, motorbikes, go-carts, and mopeds.

## **ARE THERE LAWS ABOUT MINI-BIKES, MOTOR SCOOTERS, MOTORCYCLES, ATVs AND MOPEDS?**

Yes. The same laws apply to all motor vehicles. Except for a few cases listed in

the Vehicle Code, no motor vehicle may be driven on public roads unless it is registered. You must still have a driver's license or operator license to drive it on the public roadways.

All motor vehicles must meet legal requirements for lights, brakes, windshields, and mirrors.

There are additional laws that motorcycle riders must observe. You can find all these laws for motorcycles and other motor vehicles in the Louisiana Driver Hand book, which you can obtain at any Department of Public Safety office. You must be at least 14 years of age to operate a motor cycle, and you must have an operator license if under the age of 16.



**If you are under 18 years of age, you must wear a helmet when riding a motorcycle.**

## **WHAT IF I BORROW A MOTOR VEHICLE?**

As a driver, you are responsible for anything wrong with or illegal about the vehicle even if you just borrowed it from a friend or relative.

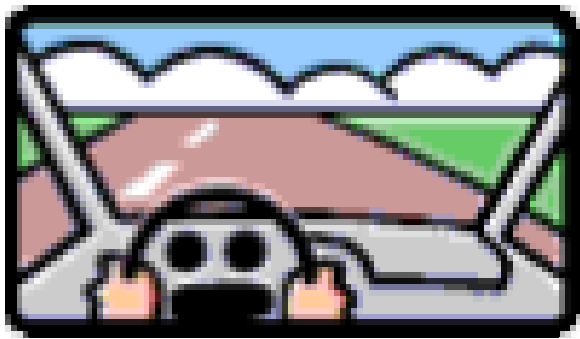
## **HOW FAST MAY I GO WITH A MOTOR VEHICLE?**

# **SPEED 30 LIMIT**

Louisiana law currently sets a limit up to 70 miles per hour on the highway/interstate, and 30 miles per hour in urban areas. Additionally, there is a “basic speed law” stating that the proper speed is one that is right for the circumstances such as weather, visibility, traffic, surface, and condition of the road. This can be slower than the posted speed limit, but never faster. If you are ticketed for speeding in a construction zone where workers are present, your fine will be doubled. Your speed should not cause a danger to people or property.

## **GETTING A MOTOR VEHICLE LICENSE**

At age 15, you may get a **learner's permit** to drive if you pass a visual examination, a driver's education course, and a road knowledge test. Then you can drive an automobile if you are accompanied by a licensed driver 21 years of age or older. You can only drive in daylight hours for the first 6 months. Then you may drive with a driver who is over 21 years old until 11:00 pm. A learner's permit does not allow you to drive alone at any time.



At age 16, you may obtain an intermediate driver's license if you pass an eye examination, a written exam, and a driving test. When you go to the driver's license office, you will need to bring your birth certificate, cash for the licensing fee, social security card, and a car to drive that has current inspection, tags and proof of insurance. You may also be required to provide documentation that you have completed a Driver's Education course. Don't forget your parent or legal guardian! They must sign the application! If your parents are divorced, the parent that has legal custody of you must be the one to sign.

At age 17, if you have had no accidents or traffic violations, you may be issued a full driving license. If you have had violations, this period can be extended.



After you receive a driver's license, you still cannot drive past 11:00 pm at night until you are 17 or older unless you meet one of the exceptions of the law.

You must be at least 18 to get a Class A, B or C license.

You must be at least 21 years old to get an endorsement to drive a vehicle that carries hazardous materials.



Driving is a privilege; not a right. Your license can be revoked for violation of driving laws, traffic laws, and various other reasons. Driver's licenses must be renewed before your birthday every 4 years. If you lose your license, you will



be charged a replacement fee to get a new one. La. R.S. 405-414.

### **WHEN MY PARENTS SIGN FOR MY LICENSE, WHAT DOES IT MEAN FOR THEM?**

Your parents can be held financially responsible if you should be involved in an accident.

For more information concerning obtaining drivers' licenses and exams, contact the state Department of Motor Vehicles.



### **WHAT IF I AM CHARGED WITH A TRAFFIC VIOLATION?**

In Louisiana, if you are 16 years or younger, DUI (driving under the influence) offenses are processed through juvenile court. All other traffic offenses are processed by the appropriate adult court, district or municipal court, where you will face the same penalties as an adult.

If the judge finds you have violated a traffic law, you can be reprimanded or you can receive one or more of the following penalties:

- Be ordered to attend driver remediation school;
- Pay a fine;
- Have your driving privileges suspended or restricted;
- May be required to produce evidence that your vehicle is up to code requirements;
- May be asked to perform community service projects for a given time; or
- You may be placed under probation supervision for up to six months.

It is highly recommended that you obey the laws when driving. Traffic violations and accidents not only endanger others on the highways, but can become quite costly with regards to fines and automobile insurance premiums.

You cannot operate a motor vehicle on the highways that:

- Does not have current inspection sticker;
- Does not have current registration and license plate;



- Does not have insurance coverage; or
- Does not have seat belts in use.

In Louisiana, a person under the age of 21, who has .02 percent or more by weight of alcohol in his or her blood will have his or her driver's license suspended for 30 days and may be charged with DUI. This is a zero tolerance law for youth. In addition to license suspension, the youth shall be referred to the court referral officer for evaluation and required to complete a DUI or substance abuse court referral program.

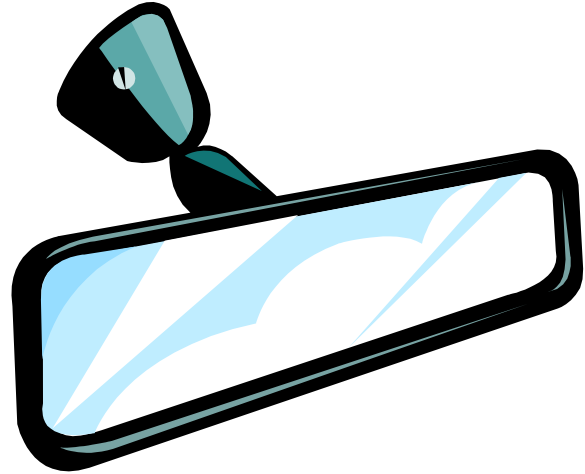
If you are adjudicated delinquent for DUI, the adjudication is reported to the Department of Public Safety, who will suspend your driving privilege for varying periods of time (90 days to five years) based on whether this was your first, second, third, etc. conviction (adjudication). You may also serve time.

### **CAN I GET A TRAFFIC TICKET IF MY LIGHTS AREN'T WORKING OR SOMETHING ELSE IS WRONG?**



Yes. It is your responsibility to keep your vehicle in good working condition.

### **CAN I HANG OBJECTS FROM THE REAR VIEW MIRROR?**



You cannot drive a motor vehicle with any object displayed or installed that may affect or reduce the driver's clear vision through the windshield or side windows.

### **WHAT SHOULD I DO IF AM STOPPED BY POLICE?**

If you are stopped, you should remain in your vehicle. Do not walk back to the officer. Listen carefully to the officer's instructions and follow any lawful orders. Keep your hands visible to the officer at all times. Remain calm and be courteous. Any passengers should remain quiet so that the driver can communicate with the officer more easily. If the officer issues you a citation for a traffic violation or for any other violation, you must sign the citation even if you feel that you are not guilty. Your signature on the citation is not an admission of guilt; it is only your promise to appear in traffic court.

If you do not appear in court, it becomes a very serious matter. A **warrant** for your arrest will be issued; your license will be suspended, and you may incur a huge court fine.

### **WHAT DO I DO IF I HAVE A CAR WRECK?**



If you are involved in a traffic accident, you must stop at once and notify the police as soon as possible. La. R.S. 14:100. If someone is injured, call for medical assistance and provide first aid to the best of your training. Before the police arrive, use whatever safe means available to warn other oncoming traffic (flags, flares, etc.).

You must provide your name, address, registration, the name of the legal owner of the vehicle, and if asked, you must show your driver's license. You should get the names and addresses of anyone else involved and any witnesses. At the scene of the accident, drivers involved should be prepared to provide proof of automobile liability insurance, including the name and address of the insurance

company. If unable to furnish such information at the scene of the accident, the driver should do so later.

### **WHAT IF I LEAVE THE SCENE OF AN ACCIDENT?**



Above all, do not leave the scene of the accident unless you require life-saving medical attention. Stay until the police arrive. If you leave, you can be charged with leaving the scene of an accident. This is commonly known as a “**Hit and Run.**” This is a serious offense and will be considered a misdemeanor if there is only property damage or a felony if death or personal injury occurs. La. R.S. 14:100.

### **WHAT IF I HIT ANOTHER VEHICLE OR DAMAGE PROPERTY AND THE OWNER IS NOT THERE?**

If your vehicle hits an unattended vehicle, either notify the police, make an attempt to locate the owner of the parked vehicle, or leave a written notice giving our name and address in a place where it is easily seen on the vehicle. If a mishap damages any other type of property, notify the property owner.

**WHAT IF I'M CAUGHT WITH  
AN OPEN CONTAINER OF  
ALCOHOL IN THE VEHICLE?**

No person shall have any open containers of alcohol in the motor vehicle whether they are the driver or a passenger. La. R.S. 32:300.



**WHAT HAPPENS IF I DON'T  
USE MY SEAT BELT?**

You could receive a ticket, be arrested, and have to pay a fine. Failure to wear a seat belt while in a motor vehicle is a violation of Louisiana law La. R.S. 32:295.1.



**WHAT IF I DRIVE WITHOUT  
A LICENSE?**

Driving without a license is a misdemeanor offense for which you may be arrested.. La. R.S. 32:52.

**WHAT IF I DON'T HAVE  
INSURANCE?**

Failure to provide proof of insurance can result in a fine of up to \$500. La. R.S. 32:430.

**PEDESTRIANS**



**WHAT ARE PEDESTRIAN  
RULES?**

A person who is walking is a **pedestrian**. Pedestrians should always use sidewalks if available. Where there are no sidewalks, they should walk close to the

## KNOW THE LAW

left-hand edge of the roadway facing oncoming traffic.

If you are a pedestrian, you have the right-of-way in crosswalks, whether or not white lines mark them. As a pedestrian, you also have the responsibility to not step into the path of an oncoming vehicle just because you have the right of way.

If there are signal lights on both corners of a block, you may not cross, or “jaywalk,” in the middle of the block. If there are no signals, or a signal on only one corner, you may cross in the middle of the block if you do not interfere with traffic. If pedestrian control devices are not present, you must follow traffic control devices such as traffic lights. La. R.S. 32:211 et. seq.

### HITCHHIKING & OTHER ROADSIDE RULES



### WHAT ABOUT HITCHHIKING AND OTHER ROADSIDE RULES?

It is against the law to hitchhike. La. R.S. 32:218. No person shall stand in a

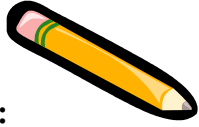
roadway for the purpose of soliciting a ride, employment, business, or contributions from the occupant of any vehicle. La. R.S. 32:218.

### SKATEBOARDS, ROLLER SKATES & SCOOTERS



### ARE THERE LAWS ABOUT SKATEBOARDS, ROLLER SKATES AND SCOOTERS?

There are no state laws about these recreational items, but some cities have regulations. In Louisiana the law is that wherever a portion of any roadway is closed to vehicular traffic, no person shall ride a bicycle, skateboard, roller skates, roller blades or scooters in some areas designated for pedestrians. There is also a law for motorized skateboards, which forbids riding in certain places. You are responsible if you hurt anyone.



**NOTES:**

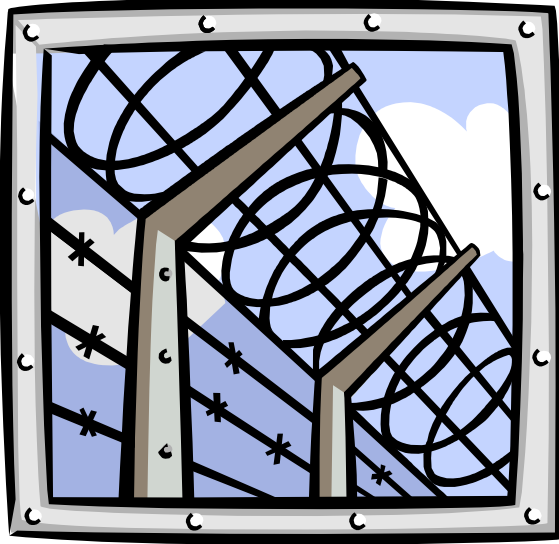
## CIVIL RESPONSIBILITY



This entire book has been designed to teach you your rights and responsibilities under the law. When you show respect for authority and the law, the law is better able to protect your rights. While you may never be accused of a crime, you should still be aware that everything you do might affect other people or their property. Therefore, in this chapter you will learn about the responsibilities and consequences for not using reasonable care in dealing with others (the field of civil law known as **Tort**). You will also learn about your right to enter into contracts and the responsibilities that go along with that right.

## WHAT IS THE DIFFERENCE BETWEEN CRIMINAL AND CIVIL LAW?

**Criminal law** is the term that is used to describe laws that have been enacted by the legislative branch of government for the purpose of preventing harm to society and establishes punishment to be imposed for wrongful conduct. As opposed to punishing wrongs against society, **civil law** is the term used to describe laws that relate to private rights and remedies.



If you are found guilty of violating a criminal law, you may face probation, time in jail or prison, a fine or a combination of these sanctions. However, if you are liable under civil law, you will not be **incarcerated**, but may be ordered by the court to do or not do something or pay a sum of money to the other person as **damages**.

Since the purposes of the criminal and civil laws are different, a person can be charged with a crime, and at the same time be held liable for damages under the civil law for the same conduct. For example, if a person punches you in the nose, criminal charges may be filed against them, and that person can also be sued in civil court to pay for your medical bills or other damages you may have suffered.

## TORTS

### WHAT IS A TORT?

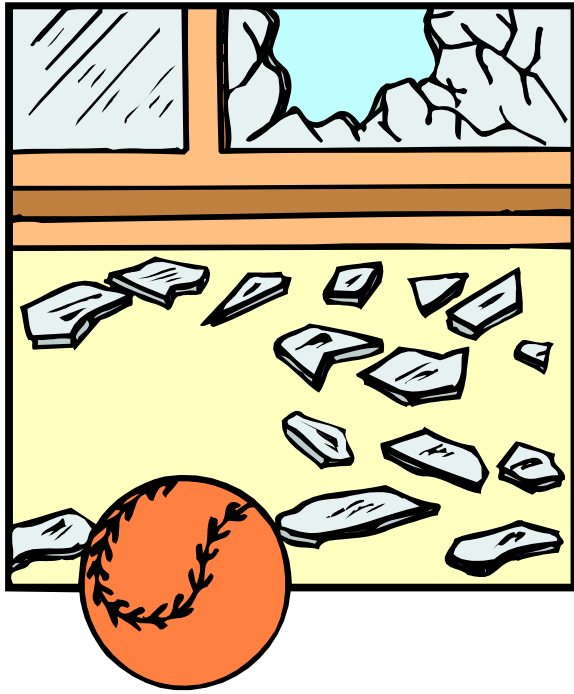
By law, every person has a duty not to harm other people or their property. A **tort** is committed when you fail in your duty of care toward others and injure a person, damage his or her property, or harm their reputation. If your action was **intentional** or even if it were simply **negligent**, you can still be held responsible. The person who is injured may sue you in civil court. The court may order you to stop the conduct, and/or require you to pay damages.

### WHAT'S THE DIFFERENCE BETWEEN AN INTENTIONAL TORT AND NEGLIGENCE?

An **intentional tort** occurs when a person acts with the intent to harm someone or their property. For example, when someone intentionally breaks out windows in the school, he or she is committing an intentional tort and will be held responsible for the damages. He or she also has committed the crime of



criminal mischief, and may be tried in criminal court.



**Negligence** is an unintentional tort. It occurs when a person fails to use reasonable care, thus causing harm to a person or property. For example, if a baby sitter leaves a child unattended and the child is injured, they baby sitter is negligent and can be held responsible for the injuries. Baby sitters have a duty to use reasonable care. Even a person who cares greatly for others may be negligent if he or she creates an unreasonable risk of harm.

### **WHAT ARE SOME EXAMPLES OF TORTS?**

A few examples of torts are:

**Assault:** The willful attempt or threat to unlawfully touch or hurt another person.

An assault may be committed without actually touching or hurting the person. La. R.S. 14:37.

**Battery:** The intentional and offensive touching of another person without his or her consent. La. R.S. 14:33.

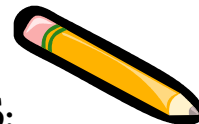
**False imprisonment:** Unlawfully keeping a person in a room, car, or other place so he or she cannot leave or get out. La. R.S. 14:46.

**Defamation:** An untrue written or spoken attack on the reputation or good name of a person. La. R.S. 14:47.

**Fraud:** Intentionally telling someone something false or concealing the truth, resulting in that person losing money by believing what he or she was told.

**Trespass:** Intentionally going onto property that you do not own or have the right to be on; fishing or hunting on the property; throwing things onto the property.

**Invasion of privacy:** Intentional and wrongful intrusion into someone's private activities in such a manner as to cause shame or humiliation.



**NOTES:**



## WHAT IS LIBEL AND SLANDER?



Libel and slander are examples of an intentional civil wrong called defamation.

**Defamation** is a written or spoken expression about a person that is false and damages that person's reputation.

**Libel** is a falsely written expression, such as an article in the newspaper that harms someone's reputation. **Slander** is a falsely spoken word that harms someone's reputation.

## HOW DOES TORT AFFECT ME IF I'M UNDER THE AGE OF 18?

Louisiana law doesn't differentiate between minors and adults when it comes to civil responsibility for tort. If you are old enough to know right from wrong, you and your parents may be sued in civil court for the damage by your tort. The courts will look at your intelligence, capacity to understand the potential or harm from your actions, actual knowledge of danger, educational level, maturity, and age to determine if you should know the difference between right and wrong. If it is determined that you know the difference between right

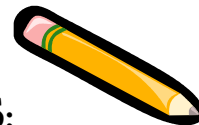
and wrong, you will be held responsible for your conduct.

## WHO PAYS FOR MY TORT?

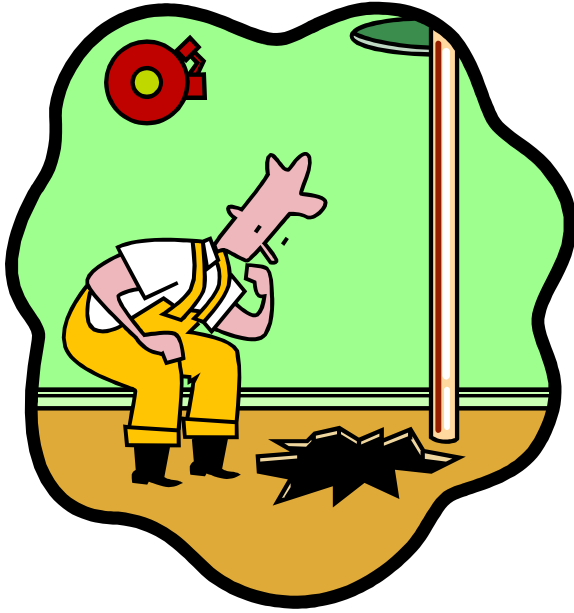
If you're under 18, your parents are liable or responsible for every intentional or negligent injury you cause to persons or property. The liability can be costly if you use a firearm. If you hurt someone unintentionally through negligence, your parents are liable if they knew about it or should have known that you were likely to cause damage and were negligent in not stopping it. Even though your parents may be liable, you can still be held primarily responsible for your action.

## WHAT IF MY ACTION WAS AN ACCIDENT?

Even if your action is considered accidental, you are still responsible if it was your **negligence** that caused the accident. If you should have been more careful, then you are responsible for the damages that result from your carelessness. This is considered negligence.

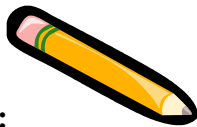


**NOTES:**



### **IF SOMEONE COMMITS A TORT AGAINST ME, WHAT SHOULD I DO?**

If you are under age 18, your parents can take legal action on your behalf, such as filing a lawsuit. When you reach age 18, you may take legal action yourself.



### **NOTES:**

## **CONTRACTS**

### **WHAT IS A CONTRACT?**



A contract is a set of promises made between two or more people to do or not to do something. They are enforceable in civil court.

Here are some facts about contracts:

- ✓ Most contracts involve property or money.
- ✓ Contracts may be written or spoken.
- ✓ Most contracts deal with buying or selling something, such as a car, a house, or land.
- ✓ When you purchase something by credit cards, you enter into a contractual agreement to pay back what is owed.

## WHO CAN MAKE CONTRACTS?

If you are 18 years old or older, and **competent**, you can legally make a contract. If you're less than age 18, but married, you can make contracts, but you're restricted in doing so. For example, you cannot make contracts about real property such as a tract of land, a lot, or a house. This is also true for personal property or any other property that isn't yours.

If you are less than age 18, you can make contracts involving selling your bicycle or skateboard. You can borrow money and even purchase a car on an installment plan. However, business people usually don't make contracts with minors because a minor can cancel a contract if they return the item they were purchasing or return money if they were selling something.

There are special circumstances under which you cannot cancel a contract even though you are under the age of 18. You cannot cancel a contract that was authorized by the court or one that deals with creative or artistic services, including music rights and literary or dramatic works.



If you live away from your parent's home and are less than age 18, you can contract for things that you need to live, such as an apartment, clothing, medical care, and household items. Your contract for such things is binding, and you are responsible for medical bills or rent just as an adult would be. Once these services or goods have been provided to you, you cannot cancel the contract.

You will have to pay back college loans you made before you turned age 18.

You also must honor any insurance contracts you make even if you are a minor.

## GLOSSARY

**Adjudicate:** To make a judicial determination about an issue before the court.

**Adult:** An individual 18 years of age or older.

**Alcohol:** Any drink that has at least 1/2 of one-percent alcohol.

**Appellate Court:** A court that reviews the decision of an inferior court or governmental agency. Appellate courts do not try cases, have juries or witnesses. They review questions of law or allegations of procedural error arising in the trial court.

**Arson:** (1) Acting in a manner that causes physical injury (criminal.) (2) The willful attempt or threat to unlawfully touch or hurt another (civil).

**Attorney:** An individual who has studied law, passed a test to be admitted to practice law, and is licensed to practice law in accordance with state regulations.

**Attorney General:** The chief law officer of the executive branch of a state or the federal government.

**Autonomy:** The right of an individual to absolute control of his or her self.

**Bail:** A sum of money exchanged for the release of an arrested person as a guarantee of that person's appearance for trial.

**Battery:** The intentional and offensive touching of another person without his or her consent (civil).

**Bicycle:** A vehicle that has two wheels, one behind the other, handlebars for steering, a seat, and is propelled by the action of the rider's feet upon the pedals.

**Burglary:** Entering another persons' property or home without permission, or remaining there against the owner's wishes with the intention to commit a crime.

**Capital murder:** A murder that can be punishable by a sentence of death or life without parole.

**Child:** An individual under the age of 17 or 18 years of age. The juvenile court standard is for any matter arising before the individual's 17<sup>th</sup> birthday.

**Child abuse:** The harm or threatened harm to the health or welfare of a person under the age of 18 years old. Harm is an intentional, reckless or negligent physical or mental injury, or sexual abuse.

**Child neglect:** When a parent fails to meet his or her responsibilities to take care of a child. Neglect includes, but is not limited to, the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

**CHINS:** A "child in need of supervision" who is habitually truant, a runaway, disobedient, or has violated a curfew.

**City or parish ordinance:** Laws created in a city or parish, which are applicable only within their boundaries.

**Civil case:** A lawsuit involving enforcement of private rights, such as fraud or defamation, as opposed to a criminal case that is brought by the government to punish a wrong against society.

**Class action:** A suit brought by one or more plaintiffs on behalf of a large group of others who have a common interest.

**Code of Louisiana:** A collection of laws passed by the State Legislature and approved by the Governor.

**Common Law:** The system of laws, originated and developed in England, based on court decisions rather than codified written laws. The rule that you are “presumed innocent until proven guilty beyond a reasonable doubt” is an example of common law.

**Complicity:** To help another person commit a crime. Also known as “aiding and abetting.”

**Concealed weapon:** A weapon is concealed if it is not in clear sight of a casual observer.

**Contingency:** A fee paid to an attorney based on a percentage of the sum awarded in the lawsuit. **Contracts:** A set of promises between two or more people to legally do or not do something.

**Controlled substance:** Any substance that the government thinks needs to be

monitored because of its potential for abuse.

**Crime:** breaking the criminal law by doing or not doing something the law says you must do.

**Criminal case:** A case where the government is prosecuting a defendant accused of committing a criminal act.

**Criminal littering:** Intentionally throwing or dropping litter on any public or private property and having no right to do so.

**Criminal mischief:** Intentionally causing damage to property and having no right to do so.

**Criminally negligent homicide:** The death of another results from risky or careless behavior.

**Criminal trespass:** Entering someone else’s property or home without permission or remaining there against the owner’s wishes.

**Cross examination:** The questioning of a witness at a trial, hearing, deposition or other legal proceeding by the opposing side.

**Curfew:** A time set by a local or state government for when a young person is no longer allowed to be out on the street without lawful business.

**Custody:** The care and control of a thing or person.

**Dangerous instrument:** Any item, which under the circumstances in which it is used, is highly capable of causing death or serious physical injury.

**Date rape drug:** A drug used by an offender to render another person unconscious for the purpose of committing a crime such as rape or another sexual offense.

**Deadly weapon:** A firearm or anything designed for the purpose of inflicting death or serious physical injury.

**Defamation:** Written or spoken expression about a person that is false and damages that person's reputation.

**Defendant:** The party against whom a suit or criminal charge is brought.

**Degree:** Legal extent of guilt or negligence.

**Delinquent child:** A child who has committed a violation, misdemeanor, or felony.

**Department of Youth Services:** A state agency charged with the supervision of delinquent juveniles.

**Dependent child:** A child, who is in immediate danger in his or her current surroundings, has no one to take care of him or her, is homeless, without parents or guardians, or is neglected by his or her parents or guardians.

**Destroying a juvenile record:** See "Sealing a Juvenile Record."

**Detention center:** Places for temporarily keeping juveniles who have been accused of committing criminal acts.

**Direct examination:** The interrogation or examination of a witness by the party on whose behalf he or she is called.

**Disorderly conduct:** Disturbing the peace by making loud noises, by fighting, or by publicly using obscene language.

**District Court:** A trial court of limited jurisdiction which has jurisdiction in all civil matters under \$10,000 and in all criminal misdemeanors and traffic violations.

**Domestic violence:** An assault on someone who lives or at one time lived in your house.

**Driving While under the Influence (DWI):** Entering a motor vehicle while under the influence of alcohol or other drugs as determined by the amount of alcohol or drugs in the person's blood.

**Drug paraphernalia:** All equipment, products, and materials of any kind which are used for converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.

**Drug trafficking:** The possession of large quantities of illegal drugs, which indicates the intention to sell for profit.

**Due process of law:** The guarantee that citizens are treated fairly by the government (found in the 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments to the U.S. Constitution).

**Emancipation:** When a minor legally gains control and responsibility over all decisions in his or her life, even though he or she is a minor.

**Employee theft:** A form of theft in which employees steal things, allow friends to steal things, charge a customer an improperly reduced price, or abuse an employee discount.

**Executive branch:** The branch of government responsible for enforcing the laws.

**Expulsion:** A disciplinary action that removes a student from school for an extended period of time. This action can include a hearing and must be approved by the Board of Education.

**False imprisonment:** Unlawfully keeping a person in a room, car, or other place so he or she cannot leave or get out.

**Felony:** Generally, the most serious of all crimes. It results in imprisonment for more than one year.

**Firearm:** A weapon from which a shot is discharged with gunpowder.

**Fraud:** Intentionally telling someone something false or concealing the truth.

**G.E.D.:** General Education Development certificate obtained for the equivalency of a high school diploma primarily for those students and adults who dropped out of school before obtaining a high school diploma.

**Good cause:** Acts constituting grounds for suspension or for expulsion.

**Hallucinogen:** A substance that affects the central nervous system distorting the perception of object reality.

**Harassing communications:** Making a telephone call with no legitimate purpose, making threats, using lewd language, and sending or forwarding inappropriate e-mail or postal mail.

**Harassment:** Unwanted touching, or verbal or non-verbal threat to another person that would cause a reasonable person to fear for his or her safety.

**Hearing:** A court appearance before a judge or court referee where testimony is given and evidence is presented.

**Homicide:** The killing of one human being by another, justified or unjustified.

**Indecent exposure:** The exposure of a person's private parts with intent to arouse or gratify sexual desire of oneself or others.

**Identity theft:** Using someone else's information (such as social security numbers, credit card numbers, and driver licenses) without their permission for an unlawful purpose.

**Indigent:** One who is needy or poor, or who does not have sufficient property to furnish his or her living, or anyone to whom he or she is entitled to look for support.

**Inhalant:** Substance that is sniffed or “huffed” to give the user an immediate high or head rush.

**Intent:** A state of mind in which a person seeks to achieve a given result through a course of action.

**Intentional tort:** When a person acts with the intent to harm someone or someone’s property.

**Judge:** The court official that oversees courtroom proceedings, listens to testimony presented in cases brought before the court and rules according to the law.

**Judicial branch:** The branch of government that interprets the laws and their constitutionality.

**Jury:** A group of citizens (10-12 in state court and 6 in federal court) randomly chosen to determine the facts of a case and apply the law in an adult court proceeding as instructed by the judge.

**Juvenile:** A person not yet considered an adult for the purposes of determining either criminal or civil liability (generally anyone under the age of 17 years old).

**Juvenile court:** A court having special jurisdiction over delinquent, dependent or neglected children.

**Legislative branch:** The branch of government that creates laws.

**Libel:** Written or permanently recorded untruths causing harm to the person about whom the untruths are published.

**Loitering:** Remaining in a certain place for no reason.

**Manslaughter:** The reckless killing of another person. This crime may be intentional, but committed during a heated or passionate moment. Menacing: Physical action that intentionally places or attempts to place another person in such a position that he or she fears imminent serious physical injury.

**Minor:** A person under the age of 17 years old.

**Miranda warning:** Constitutional rights read to a suspect before questioning begins. It states that you have a right to be informed of the reason for arrest, the right to remain silent, the right to contact an attorney, parent or guardian, and the right to an appointed attorney if you cannot afford one.

**Misdemeanor:** A crime that may result in imprisonment for up to one year and/or a fine.

**Motor vehicle:** Any vehicle that runs on its own power.

**Municipal court:** Courts with authority confined to a city or community in which they are established and which have jurisdiction extending to city ordinances



such as traffic offenses and criminal misdemeanors.

**Murder:** The intentional killing of another person without legal justification.

**Negligence:** A tort that occurs when a person fails to use reasonable care causing harm to a person or his or her property.

**Obscenity:** A general term applying to anything that is immoral, indecent, or lewd.

**Parent's liability:** Parents are responsible for you and for what you do until you are 18 years old or legally emancipated.

**Parole:** Release from prison before the full sentence has been served, granted at the discretion of a parole board.

**Pedestrian:** A person who is walking.

**Perjury:** Intentionally providing false information under oath.

**Petition:** To file charges or make a request of a court or public official.

**Plaintiff:** The party who brings a lawsuit (sometimes known as a “complainant” or “petitioner”).

**Possession:** The fact of having or holding property in one's power; the exercise of dominion over property.

**Precedents:** Court decisions on legal questions that guide future cases with similar questions.

**Probation:** A period of supervised release given by a court instead of, or upon release from, detention.

**Prosecutor:** The lawyer who represents the government in a criminal case.

**Public lewdness:** When a person exposes his or her private parts in a public place where he or she is likely to be observed by someone else.

**Rape:** Forced sexual intercourse with another person. Any sexual intercourse, consensual or not, by a person aged 17 or older with a person under the age of 15.

**Reasonable suspicion:** An objective basis, supported by specific facts, for suspecting a person of criminal activity.

**Receiving stolen property:** The buying or accepting of property known to be or suspected to be stolen.

**Restitution:** The return of goods to the rightful owner and payment for property loss, damages, and time.

**Robbery:** Theft by the use of force, taking a person's personal property by use of force or by scaring someone into handing over anything that belongs to him or her.

**Rule of law:** The principle in which all citizens and the state are to respect and obey the legal system and its laws.

**School Resource Officer (SRO):** A full-time law enforcement officer in the schools with the goal of creating and maintaining a safe educational

environment. SROs keep peace in school. They are advisors and counselors, liaisons between schools and the police, and law-related education teachers.

**Sealing a juvenile record:** The act of preventing public access to a juvenile's delinquent records.

**Sedative:** A substance that depresses or slows down the body's functions, inducing sleep or sedation.

**Serious juvenile offender:** A juvenile offender who has committed an extremely serious offense.

**Sexual abuse:** Forcible sexual contact with another person or sexual contact with a person less than 15 years old.

**Sexual contact:** Any contact on the person of another that involves touching of sexual organs or intimate body parts of that person.

**Sexual misconduct:** Illegal sexual activities other than those defined as sexual abuse or sexual contact. Falsely spoken words that harm the reputation of another.

**Statute:** A law enacted by the Legislature at the state or federal levels.

**Stimulant:** A substance that temporarily increases the function of the heart, lungs, brain and/or nervous system.

**Subpoena:** A process commanding a witness to appear before a court at a time specified to give testimony.

**Sunshine law:** A law that requires all public officials to conduct their meetings openly.

**Suspension:** A disciplinary action that temporarily removes a student from school.

**Theft:** The taking of property or depriving someone of his or her property without the intent to return it.

**Tobacco:** An agricultural crop usually rolled in paper and smokes. Sometimes tobacco leaves are "dipped" or "chewed" so the nicotine is absorbed via the gums.

**Tort:** The law of private wrongs, governing the behavior of persons and setting out their obligations toward each other.

**Trespass:** Intentionally going onto property which you do not own or have the right to be on; fishing or hunting on the property; or throwing things onto the property.

**Trial:** A formal proceeding before a judge and/or jury to determine the outcome of an issue before the court.

**Truancy:** The failure of a student to attend school without good reason.

**United States Code (U.S. CODE):** The collection of laws passed by the United States Congress and approved by the President.

**Violation:** A breach of a state or municipal ordinance, for instance, a

## **KNOW THE LAW**

parking ticket and most minor traffic offenses.

**Warrant:** A legal writ authorizing an officer of the law to take action (as in making an arrest, or the search and seizure of evidence).

**Witness:** One who testifies to what he or she has seen, heard, or otherwise observed.

**Witness stand:** Seat occupied by a witness in the courtroom.

## **YOUR TURN**

Why do we have rules and laws?

What rules does my family have? What are the reasons for them?

What personal rules do I have? What reasons do I have for them?

It really bothers me when people break rules because:

What would life be like if we didn't have rules and laws?

List five laws that make your life safer.

List your least favorite laws and explain why.

What new law would you like the legislature to pass?

What have you learned from *Know the Law*?

What is your favorite illustration in this book?

What is the “Golden Rule?” Why is it important?

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